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VOL. VII.

LONDON,

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P R E F A C E.

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As he has been singularly fortunate in procuring a considerable number of State Papers, which, he trusts, have never yet been published in England, he thinks it necessary to direct the attention of the Public in a more particular manner to them. Of the negotiation at Paris between the United States of America and the Republic of France no complete account had hitherto been collected; the Editor therefore obtained from America an official copy of the proceedings printed by order of Congress. The very detailed letter from the American ministers* upon the differences between the two nations, and upon the conduct of France towards the United States, has never yet been published in this country. The same assertion may be made with respect to the answer of the American ministers† to the letter of the French minister for foreign affairs. But the Editor has also been able to render the narrative of the negotiation still more complete even than the official publication of the American government. That publication concludes with the departure of General Pinckney and General Marshall from Paris. From the French official papers the Editor has extracted all the subsequent correspondence between Mr. Gerry and the French minister to the departure of the former from France, and the final rupture of the negotiation.

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* Page 222 to 265.

† Page 399 to 426.

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Y. A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

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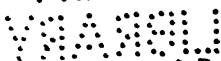
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WYOMING
CLARK
WYOMING

STATE PAPERS.

TREATIES, ARMISTICES, &c.

Treaty of offensive and defensive Alliance between the French Republic and the King of Sardinia. Ratified by the Council of Five Hundred on the 1st Brumaire (Oct. 21), and by the Council of Ancients on the 4th of the same Month (Oct. 24), 1797.

THE Executive Directory of the French republic, and his Majesty the King of Sardinia, being desirous, by every means in their power, and by the most intimate union of their respective interests, to contribute as speedily as possible to the restoration of that peace which is the object of their wishes, and which will secure the repose and the tranquillity of Italy, have determined to enter into a treaty of offensive and defensive alliance; and have charged with full powers to that effect, viz. on the part of the Executive Directory of the French republic, Citizen Henry James William Clarke, general of division in the armies of the republic; and on the part of his Majesty the King of Sardinia, the Chevalier D. Clement Damian de Priocia, knight of the grand cross of the order of Saints Maurice and Lazarus, first secretary of state in his Majesty's department for foreign affairs, and president of the home department; who, after exchanging their respective powers, concluded as follows:

I. There shall be an offensive and defensive alliance between the French republic and the King of Sardinia, until the period of continental peace. This alliance shall then become purely defensive, and shall be established upon a basis agreeable to the reciprocal interests of both powers.

II. The present alliance having for its object to hasten the restoration of peace, and to secure the future tranquillity of Italy, its execution during the present war shall be directed solely against the Emperor of Germany, he being the only continental power

that presents obstacles to wishes so salutary. His Majesty the King of Sardinia shall remain neuter with regard to England and to the other powers still at war with the French republic.

III. The French republic and his Sardinian Majesty guarantee reciprocally, by all the means in their power, their respective possessions which they now hold in Europe during the existence of the present alliance. The two powers shall unite their forces against the common enemy externally, and shall give no aid, directly or indirectly, to the internal enemies of either.

IV. The contingent of troops which his Majesty the King of Sardinia shall furnish immediately in consequence of the present treaty, shall be 8000 infantry and 1000 cavalry, and forty pieces of cannon. In case the two powers shall think it necessary to augment this contingent, such augmentation shall be concerted and regulated by commissioners invested with full powers to that effect by the Executive Directory and his Majesty the King of Sardinia.

V. The contingent of troops and artillery shall be ready and assembled at Novarra, viz. 500 cavalry, 4000 infantry, and twelve field-pieces, by the 30th of Germinal current (April 19), and the remainder in a fortnight after.

This contingent shall be maintained at the expense of his Majesty the King of Sardinia, and shall receive orders from the commander in chief of the French army in Italy.

A separate convention settled in concert with the commander in chief of the French army, shall regulate the nature of the service of this contingent.

VI. The troops which form this contingent, shall participate, in proportion to the number which may be under arms, in the contributions which shall be levied from the conquered countries; reckoning from the day of the union of the contingent to the army of the republic.

VII. The French republic promises to procure to his Majesty the King of Sardinia, at the period of a general or continental peace, all the advantages which circumstances may permit him to obtain.

VIII. Neither of the contracting powers shall conclude a separate peace with the common enemy, and no armistice shall be agreed to by the French republic, in which his Sardinian Majesty is not included.

IX. All the contributions imposed on the states of his Sardinian Majesty which are not yet paid up, shall cease to be demanded immediately after the exchange of the ratifications of the present treaty.

X. The furnishings which from the same period shall be made in the states of his Majesty the King of Sardinia to the French troops, or to prisoners of war, and also those which may have already

already been made in virtue of private contracts, and which have not yet been paid for by the French republic, shall be returned in kind to the troops forming the contingent of his Sardinian Majesty: and if the amount of the furnishings should exceed the wants of the contingent, the overplus shall be repaid in specie.

XI. The two contracting parties shall immediately appoint commissioners charged to negotiate in their name a treaty of commerce agreeably to the basis stipulated in article VII. of the treaty of peace concluded at Paris between the French republic and the King of Sardinia.—Meanwhile the posts and all other commercial relations shall be re-established without delay in the same manner as they were before the war.

XII. The ratifications of the present treaty of alliance shall be exchanged at Paris in the shortest delay possible.

Done and signed at Turin on the 16th of Germinal (April 5), 5th year of the French republic.

(Signed)

H. CLARKE.

CLEMENT DAMIAN.

The Executive Directory ratify and sign the present treaty of alliance with his Majesty the King of Sardinia, negotiated in the name of the French republic by Henry James Clarke, general of division, appointed by an order of the Executive Directory on the 13th Ventose last, and charged with instructions to the above effect.

Done at the national palace on the 22d Germinal, 5th year of the French republic.

Treaty of the Union of the Republic of Mulhausen to the French Republic.

THE Executive Directory of the French republic being assured that the magistrates, councils, citizens, and inhabitants of the republic of Mulhausen have expressed a desire to be united to the French republic, and to be incorporated with the great nation, and willing to give to the most ancient ally of France the last proof of her generous friendship, have appointed Citizen John Ulric Metzger, member of the central administration of the department of the Upper Rhine, commissioner of government, to ascertain their wishes for such union, and to stipulate the mode and conditions of the same; for which purpose the magistrates, &c. of the republic of Mulhausen have nominated to treat and stipulate in their name, Messrs. Jean Hofer, burgomaster, Joshua Hofer, syndic, Paul Hagenin, Jeremiah Kœchlin, both members of the great council, James Kœchlin, one of the four assistants to the great council, and Sebastian Sperlin, all of the town of Mulhausen,

sen, and equally and fully charged and authorized to stipulate for the inhabitants of Illzach and Modenheim, which form the republic and dependency of Mulhausen. The French commissioner having, by the authentic documents subjoined, verified the free expression of their wishes for the union, the commissioner and deputies, after producing and exchanging their full powers, agreed on the following articles:

I. The French republic accepts the wish of the citizens of the republic of Mulhausen, and that of the inhabitants of the commune of Illzach, and its appendage of Modenheim, both forming a dependency of Mulhausen, and declares the said citizens and inhabitants Frenchmen born.

II. The French government, as a mark of attachment to its ancient allies, consents to prolong their state of neutrality, and consequently exempts them from all real and personal requisitions, and from the quartering of soldiers, during the present war, and until the period of general peace.

III. Those citizens and inhabitants of Mulhausen, &c. who may be inclined to remove with all their effects into Switzerland, or elsewhere, shall be allowed one year from the ratification of this treaty, to prepare for their departure, and three years to accomplish the sale and liquidation of their property and debts.

IV. All the lands and effects of the town, those within its own district, and those which it possesses in the district of Illzach, and which are under the management of its magistrate and his agents, those allotted to the hospital, public buildings, and those appropriated to public functionaries, mills, commons, arable lands, meadows, pastures, forests, whether within or without the boundaries of the territory of Mulhausen, and all rents or quit-rents which may be due to the commune, the hospital, or any other corporation or foundation of Mulhausen—in general terms, all that constituted the patrimony of the said republic, and which was known under the general name of common property, shall belong in full right and without any diminution to the commune of Mulhausen.

V. The buildings, goods moveable and immoveable, and sums of money, forming the appanage of the six corporations called tribes (Zünfte), shall also be regarded as common property.

VI. The forests, buildings, and lands, belonging to the Teutonic order of Mâla, as well as the possessions of the chapter of Arleheim, and the abbey of Lucelles, within the territory of Mulhausen, shall become the property of the commune.

VII. Whatever measures the republic of Mulhausen may have taken, previous to the exchange of the ratification of these presents,

sents, relative to the various species of property mentioned in the 4th, 5th, and 6th articles, shall be executed according to their form and tenour.

VIII. The buildings, capitals, rents, lands, forests, commons, and hemp-fields, ceded by the town of Mulhausen to the inhabitants of Illzach and Modenheim, shall belong to them in full property, without any exception, and they shall be free to dispose of them as they shall judge most suitable to their own interest.

IX. To encourage the neglected agriculture of the communes of Mulhausen and its dependencies, the French government declares, that all the rents and duties levied on the lands and other immoveables of the citizens of Mulhausen, and their dependencies, for the behoof of the orders mentioned previously, and which would fall in to the nation, shall be abolished without any indemnity—and the lawful possessors of such estates shall be exempt from any compensation, and continue to enjoy them in perfect property.

X. The tribunal of commerce of the republic of Mulhausen shall be continued, and organized according to the laws of the French republic. There shall be two notaryships in the town of Mulhausen—the one exercised by the ancient Greffier Tabellion, and the other by one of the citizens *à homes*: the titles, documents, and original writings of the chancery, shall be deposited in the archives, which shall be under the care of an officer, to be paid by the commune. To facilitate commercial relations, there shall be established an office for post-horses; the post-office for letters shall be continued. The government will establish a direct communication with Basle, Colmar, and Belford; and to facilitate the dispatch of business, there will be appointed a stamp and register office. The period of their commencing business will be fixed by the government, as well as that of the payment of personal and real contributions; and as there is at present no register of lands, nor matriculation book, the citizens of Mulhausen having been exempt from contributions, a commission will be appointed to complete the register and matriculation, and to make preliminary arrangements for fixing and assessing the contributions.

XI. To encourage the commerce and industry of Mulhausen, and to support the credit of the merchants who carry on trade with foreign capitals, the French government declares, that it means to preserve to the capitalists and its Swiss and other foreign dependencies, the same rights and the same system of legislation which existed before the union of the republic of Mulhausen to France. In consequence, all deeds, whether hypothecary or under sign manual, dispositions, testaments, legacies, and all acts anterior

to the ratification of this treaty, shall be executed according to the statutory laws of the town of Mulhausen.

XII. The republic of Mulhausen renounces all its connexions with the Helvetic body; it deposits in the bosom of the French republic its right to independent sovereignty, and authorizes the French government to notify to the Helvetic cantons, in the most amicable manner, that their ancient allies will form an integral part of a people no less dear to them, and united to whom they will not cease to be in a state of intimate relation with their ancient friends.

XIII. The ratification of the present treaty shall be exchanged within one month from the date of signature.

Done at Mulhausen, on the 9th Pluviose, 6th year.

The above treaty was ratified by the Councils on the 11th Ventose (1st March) 1798.

Additional Convention to the Treaty of Peace signed on the 7th August 1796, between the French Republic and the Duke of Wurtemberg.

I. **T**HE French republic shall require and insist on the secularization of the district of Oberkirch, belonging to the late bishopric of Strasburgh, the abbey of Zweifalten, and the principality and prebendary of Ellwangen.

II. The Duke engages to pay what he is personally indebted to the inhabitants of the countries ceded by him, and within five years to replace the capitals which have been paid into his private treasury, and for which he has constituted rents.

III. The Duke engages, by his vote in the diet, to accede to the following propositions: 1. The cession of the left bank of the Rhine, the islands and course of that river. 2. The emancipation of the Italian states from the bonds of feudality. 3. The secularization of the ecclesiastical principalities which are necessary for the indemnification of the secular princes.

IV. He engages in all future wars between France and any other power, to observe the strictest neutrality, and neither to contribute a contingent nor any other assistance.

V. The French troops, in all wars commenced against France, shall enter the territories of the Duke, remain in them, and possess themselves of such military posts as shall be necessary for their operations.

VI. A full amnesty shall be granted to all persons who may have been arrested or prosecuted on account of political opinions.

VII. The diplomatic agent of the French republic shall determine

terminate all civil disputes between French citizens in the states of Wurtemberg.

VIII. The Duke renounces the further use of the titles derived from the ceded countries.

IX. The armistice of 29 Messidor shall be fully observed in all the particulars which are not contrary to the articles of the present treaty.

X. The stipulated contributions shall be raised ; besides which the Duke shall pay monthly 200,000 livres, from 1 Vendémiaire to the signing of the preliminaries of peace with Austria.

XI. This treaty shall likewise bind the Imperial towns Eßlingen and Reutlingen.

(Signed)

WOELLWARTT.

Paris, 20 Thermidor, 4th year
of the French republic.

ABEL.

*Treaty of Peace, and of Alliance offensive and defensive, concluded
between the French and Helvetic Republics.*

THE French and Helvetic republics being equally desirous to make the most perfect peace and the strictest friendship succeed to a war which an oligarchy had provoked, and which for a time had caused a division between the two nations, have resolved to unite themselves together by an alliance grounded on the real interests of the two countries : the respective governments have accordingly appointed, on the part of the French Directory, Citizen C. M. Talleyrand, minister of foreign affairs, and on the part of the Executive Directory of the Helvetic republic, Citizens P. J. Zeltner and Amedee Jenner, who, after a mutual exchange of their full powers, agreed to the following articles :

Art. I. There shall be for a perpetuity, peace, friendship, and good understanding, between the French and Helvetic republics.

II. There exists, from the present moment, between the two republics, an alliance offensive and defensive. The general result of this alliance is, that each of the republics may, in case of war, claim the co-operation of its ally. The power claiming this co-operation shall then specify against whom the co-operation is required, and in consequence of that special requisition, the power called upon enters into war against the power or powers designated ; but it remains in a state of neutrality with respect to such powers as may be at war with the claiming power, and whom it may not have particularly designated. It is acknowledged that the effect of the requisition on the part of the French republic shall never be to send the Swiss troops beyond the sea.

The

The troops called for shall be paid and maintained by the power calling for them; and in case of such requisition, neither of the two republics shall separately conclude any treaty of armistice or of peace. The particular effects of the alliance, when on either side a requisition shall take place, the nature and the quantity of the succours to be mutually afforded, shall be amicably determined by special conventions, grounded on the principles contained in this article.

III. The French republic accordingly guarantees to the Helvetic republic its independence and the unity of its government; and in case the oligarchy should attempt to overturn the present Helvetic constitution, the French republic binds itself to grant to the Helvetic republic, upon its requisition, such succours as it may stand in need of, in order to triumph over such internal or external attack as may be made against it. It promises its good offices to the Helvetic republic that may insure it the enjoyment of all its rights with regard to other powers; and in order to furnish it with the means of speedily re-establishing its military strength on the most imposing footing, the French republic consents to restore the artillery that has been taken from it during the present war, and which may be still at the disposal of the French government at the moment of signing the present treaty, provided the Helvetic republic will send for such pieces of artillery and carry them back into its own territory.

IV. The frontiers between France and Helvetia shall be determined by a particular convention, the basis of which shall be, that every thing which formed part of the ci-devant bishopric of Basil, and the principality of Porentruy, shall remain definitively united to the French territory, as well as the intersection of the Swiss territory comprehended in the department of the Upper Rhine and Mont Terrible; with reservation of the counter cessions and exchanges, which may be judged indispensable for rendering these frontiers perfectly straight from Basil to Geneva, and which shall not affect the unions which have already been definitively made to the French territory.

V. In order to secure the communications of the French republic with the south of Germany and Italy, there shall be granted to the said republic the free and perpetual use of two commercial and military roads, the first of which shall pass the north of Helvetia, up the Rhine, along the west and southern banks of the lake of Constance; the second, beginning at Geneva, and traversing the department of Mont Blanc, shall go through the Valais, running into the territory of the Cisalpine republic by a course to be fixed; and it is determined that each state shall, within its own territories, execute the works necessary for the construction of these two roads.

VI. It is likewise stipulated, that, in order to give to the internal navigation of the two republics all the beneficial improvements of which it is susceptible, each of them respectively shall, within its own territories, execute the works of art which shall be necessary for the establishment of a communication by water from the lake of Geneva to the Rhine, and from Geneva to that part of the Rhone which is navigable.

VII. The French republic binds itself to furnish to the Helvetic republic all the salt which it may stand in need of, from the salt-pits of La Meurthe, of Jura, and of Mont Blanc. The prices of the said salt, the expenses of carriage, the places and the periods of delivery, shall be regulated at least every ten years between citizens charged by the French government with the preparing of the salt, and the officers of the Helvetic government, without ever permitting the price of the said salt to exceed that paid by the French citizens, and without the subjects of the Helvetic government being ever subjected to paying the taxes which in France may be laid upon that commodity.

VIII. According to the latter article, the Helvetic republic expressly renounces all the drawbacks on salt which it might be entitled to claim in virtue of ancient treaties which existed between France and the Cantons; and it binds itself to take annually from the salt-pits at least two hundred and fifty thousand quintals of salt.

IX. The citizens of the French republic may go and come to Helvetia, furnished with regular passports: they shall be at liberty to form all and such establishments there, to exercise every kind of industry which the law permits and protects; their persons and property shall be subject to the laws and usages of the country. The citizens of the Helvetic republic shall enjoy in France, and in all the dominions of the French republic, the same rights on the same conditions.

X. In all litigated points respecting individuals, which cannot be settled by reference, or by the decision of the courts, the plaintiff shall be obliged to follow up his action before the natural judges of the defendant, unless the parties be present on the very spot where the bargain had been contracted, or have agreed upon the choice of the judges to whose decision they would leave the matter in dispute. In litigated points, having for object landed property, the suit shall be carried on before a tribunal or a magistrate of the place where the property is situated. The litigations that may arise between the heirs of a Frenchman who dies in Switzerland, with regard to his succession, shall be transferred before the judge of the residence which the Frenchman possessed in France; and the same shall be observed with regard to the succession of a Swiss who may die in France.

XI. The definitive judgments in civil causes that are regarded as settled points, and that have been pronounced by French tribunals, shall be executed in Switzerland, and *vice versa*, after they shall have been sanctioned by the respective ministers.

XII. In case of the failure or bankruptcy of Frenchmen possessed of property in France, if there are Swiss creditors and French creditors, the Swiss creditors who shall have conformed to the French laws for the security of their hypothec, shall be paid according to the order of their hypothec on the footing of French creditors: and *vice versa*, if Swiss possessing property in the Helvetic republic, shall have both French and Swiss creditors, the French creditors who shall have employed the requisite formalities to secure an hypothec in Switzerland, shall be arranged with Swiss creditors, according to the order of their hypothec. With regard to simple creditors, they shall be treated in the same manner, without respect to which of the two countries they belong.

XIII. In all criminal proceedings for heinous offences instituted either before Swiss or French courts, witnesses shall be mutually bound to attend from either country in person, under the penalties to be fixed by the two countries. The necessary passports shall in this case be granted by the government of the party requiring, according to distance, &c.

XIV. The two republics shall mutually engage to grant no asylum to the emigrants or persons banished from the other. They likewise bind themselves to exile, on the first requisition, the persons of either nation who shall judicially have been declared guilty of conspiracy against the interest or external security of the state, of murder, poisoning, fire-raising, forgery, violence, theft, and robbery, or persons accused of these crimes; and the property stolen in either country and taken to the other, shall be restored.

XV. There shall immediately be concluded between the two republics a treaty of commerce, founded upon the most complete reciprocity of advantage. In the mean time, the subjects of both nations shall be treated upon the footing of those of the most favoured nations.

Concluded and signed at Paris, 2d Fructidor (Aug. 19), of the French republic, one—indivisible, 6 (1798).

(Signed)

CH. M. TALLEYRAND.

P. J. ZELTNER.

H. A. JENNER.

Substance of the Treaty of Alliance between the French and Cisalpine Republics, concluded in July 1798.

Art. I. **T**HE French republic acknowledges the Cisalpine republic to be a free and independent state, and guarantees to it its liberty, its independence, and the abolition of every government anterior to that which exists at present.

II. There shall exist for ever, between the two republics, peace, amity, and good-will.

III. The Cisalpine republic engages to take part in every war in which the French republic may be involved, when a requisition for that purpose shall be made by the Executive Directory of the French republic. She binds herself, immediately on receiving this requisition, to raise all her forces, and to put all her means of war in activity. By the notification of this requisition, she will be put in a state of war with every power against whom the requisition is made; and whilst such notification shall not have been given, she will continue in a state of neutrality.

IV. The Cisalpine republic having demanded from the French republic an armed force sufficient to protect her liberty, her independence, and her internal tranquillity, as well as to preserve her from every aggression on the part of her neighbours, the two republics have agreed upon the following articles:

V. Until it shall be otherwise agreed, there shall remain in the Cisalpine republic a body of French troops, to the number of 25,000 men, including the staff and administrations. This corps shall be composed of 22,000 infantry, 2500 cavalry, and 500 horse and foot artillery.

VI. The Cisalpine republic shall annually furnish to the French republic, for the pay and subsistence of these troops, the sum of ten millions, which shall be paid into the military chest by twelve equal monthly payments; and in the event of war, she shall supply the necessary additional expenses; she shall provide barracks and lodgings for the said troops in a state of health or sickness; in consideration of which the French republic engages to pay, equip, clothe, and subsist them in health or in sickness.

VII. The French government may withdraw and replace any part of these troops at their pleasure.

VIII. These troops, as well as the troops of the Cisalpine republic, shall always be under the command of French generals.

IX. One half at least of the garrisons of Mantua, Peschiera, and Ferrara, shall always consist of French troops.

X. The Cisalpine republic shall keep the artillery of these three places in the best condition, with complete provisions for a year.

XI. When there are French and Cisalpine troops in the same fort, station, or cantonment, the rank of the officers being equal, they shall be commanded by a French officer; but if the rank is unequal, by the superior officer, whether French or Cisalpine.

XII. The French republic shall give up to the Cisalpine republic, on the terms agreed on between Citizen Buonaparte and the Executive Directory of the Cisalpine republic, as much of the artillery taken from the enemy as the Cisalpine republic shall require.

XIII. The fort which has been planned out at the rock D'Amso by the French engineers, under the orders of Citizen Buonaparte, to command the valley of Sabia, shall be constructed without delay. The works necessary to complete the forts of Peschiera and Mantua shall also be carried on without delay, as well as the fortification of the heights of Valleggio, and the little fort of Coetto, according to the plans approved by Citizen Buonaparte: the whole to be performed at the expense of the Cisalpine republic.

XIV. The Cisalpine republic shall organize an armed force composed of Italian and auxiliary troops, the number of which, horse and foot, shall be regulated by a separate convention. She shall always keep in readiness 120 field-pieces, upwards of 60 pontoons, and a flotilla on the lake of Garda.

XV. The Cisalpine republic shall not suffer any French emigrant to reside within her territory. Every French emigrant found on the territory of the Cisalpine republic shall be arrested, in order to his being transported to the place which the Executive Directory of the French republic shall point out. Every Cisalpine emigrant found on the territory of the French republic shall be likewise arrested, and placed at the disposal of the Cisalpine republic.

Substance of the Treaty of Commerce between the French and Cisalpine Republics, concluded in July 1798.

Art. I. **N**EITHER of the two republics, French and Cisalpine, shall ever prohibit the importation or the consumption of any merchandise of the growth or manufacture of the other republic, its ally.

II. Neither of the two republics shall prohibit the exportation of any of its productions or manufactures to the other republic, its ally, except grain or flour, which may be occasionally discontinued; but only in cases of scarcity, and when the same prohibition shall be extended to every other nation.

III. In

III. In case either of the two republics shall judge it proper to impose a duty upon any production or merchandise of the growth or the manufacture of its ally, such duty shall not exceed six per cent. *ad valorem*.

IV. Until a general peace, all duties shall be reduced one half, when productions or merchandise of the growth or manufacture of both republics shall be transported in the waggons or ships of either—these commodities, if in waggons, are to be conducted by citizens of one or other of the said republics; or if in vessels, by a crew, three-fourths of which shall be citizens of the one or the other republic.

V. At the period of a general peace, the advantage stipulated by the preceding article shall cease, with regard to productions or merchandise imported in vessels; but the productions or merchandise of the growth or manufacture of France, shall not be imported into the ports of the Cisalpine republic, but in French or Cisalpine vessels, wholly to the exclusion of the vessels of every other nation, under pain of confiscation of ship and cargo, and 3000 livres of fine, to be levied upon the proprietors, consigners, and agents of the vessel or cargo, or upon the captain or mate.

VI. The valuation which shall serve as the basis for regulating the duties on importation shall be proved by the invoices or written declarations which may accompany the goods. In case the comptrollers of the customs shall suspect the invoices or declarations to be forged, it shall be lawful for them to detain the merchandise, paying for it at the rate of the invoice or declaration, with an addition of 25 per cent.

VII. Each vessel or waggon shall be furnished with a declaration made before the consul, or, if there be no consul, before the municipal officer of the place where it shall have been loaded. This declaration shall mention the country in which the said merchandise was produced or manufactured.

VIII. Both republics shall employ all their good offices and influence, in order to obtain from intermediate states the desirable facilities for the transit of their respective commerce, either by an exemption of the duties it may be liable to in passing through these states, or by the restitution at leaving them of what was paid upon the entry.

IX. There shall be established relays of post-horses and offices for letters on the road from Milan to Paris: this road shall be directed through the Valois and the Pays de Vaud, and shall also pass through Lausanne, proceeding by the road used by the peace of 1748. The French and Cisalpine republics shall be at the expense of these establishments on their respective territories. They shall also unite in demanding from the

the Helvetic republic the formation of similar establishments on its territory.

X. The Executive Directory of the French republic shall employ its good offices with the powers of Barbary, in order that the Cisalpine flag may be treated with the same respect by their corsairs as the French.

Proclamations, Manifestoes, Correspondence, &c.

Extract from the Register of the Deliberations of the Commission delegated by the French Government to the Leeward Islands.

THE commission, considering that the ports of the Windward Islands, as well as Port-au-Prince, St. Marc, L'Arcahay, the Mole, and Jeremie, given up to the English, occupied and defended by the emigrants, are in a state of permanent siege, and ought not to enjoy the same advantages as the ports of the different English colonies, possessed by that power before the war, and from other titles;

Considering that it is against all principle to treat a horde of rebels, without country, without government, and without a flag, with the same respect which polished nations observe to one another during war;

That it is notorious that the different places of the colony given up to the English no more belong to them than La Vendée, in which the English minister had in like manner stipendiary troops, regiments in his pay, wearing the same uniform as the troops of the king of England;

The revolted cities of La Vendée were, as well as those of the colony, garrisoned by emigrants; its coasts equally protected by English vessels, and that nevertheless it never entered into the head of a reasonable man to think that it ought to be allowed to merchants of neutral nations, to supply these brigands with food, who were only occupied in rendering the bosom of their country;

Considering that in virtue of the 11th article of the treaty of alliance, concluded at Paris on the 6th of February 1778, between the United States and France, this first power engaged itself to defend the possessions of France in America in case of war, and that the government and commerce of the United States have strangely abused the tolerance of the French republic, in turning to her detriment the favours which were granted to her, of entering and trading in all the ports of the colony;

That in permitting any longer to neutral vessels to carry warlike and other provisions to men evidently in a state of rebellion, is to

wish to prolong civil war, and the evils and crimes that are the effects of it:

The commission has decreed, and do decree, as follow:

ARTICLE 1st. The captains of vessels of war and French privateers are authorized to capture and to conduct into the ports of the republic, all neutral vessels destined for the ports of the Windward and Leeward Islands of America given up to the English, occupied and defended by emigrants.

2d. The said vessels are declared good prize, and shall be sold for the benefit of the captors.

3d. The arret of the 7th Frimaire, taken conformably to the resolution of the Executive Directory of 14th Messidor, shall be put in force until it shall be otherwise ordered.

Done at the Cape, 6th Nivose (26th Dec.), 5th year of the French republic, one and indivisible.

SANTHONAX, President.

LEBLANC, } Commissaries.

RAIMOND, }

PASCAL, Secretary-General.

Declaration of General La Fayette, previous to his Release from Imprisonment.

Olmutz, July 26, 1797.

THE commission with which the Marquis de Chasteller is entrusted, appears to relate to three points:

1. His Imperial Majesty wishes to ascertain the true state of our situation at Olmutz.—I am not disposed to prefer any complaint upon the subject; the detailed circumstances respecting it may be found in the letters received or sent back, which were transmitted by my wife to the Austrian government; and if his Imperial Majesty is not satisfied by reading over the orders sent in his name from Vienna, I am willing to give the Marquis de Chasteller any information he may desire.

2. His Majesty the Emperor and King wishes to be assured that, upon my release, I shall immediately set out for America. I have frequently signified this to have been my intention. But, as an answer, under the present circumstances, might seem to admit the right of exacting such a condition, I do not judge it proper to comply with this demand.

3. His Majesty the Emperor and King does me the honour to signify to me that the principles which I profess, being incompatible with the security of the Austrian government, it is his pleasure that I should not re-enter his dominions without his special permission.—I have duties from which I am not at liberty to withdraw myself, I am under obligations of duty to the United States;

-above

above all, I am under obligations of duty to France ; and I can contract no engagements inconsistent with those rights which my country holds over me. With these exceptions, I can assure the General Marquis de Chasteller, that it is my invariable resolution never to set foot on any territory subject to his Majesty the King of Bohemia and Hungary ; consequently I, the undersigned, engage myself to his Majesty the Emperor and King, never at any time to enter into any of his hereditary dominions, without having first obtained his special permission, provided this engagement is not understood to contravene the right my country holds over me.

(Signed) LA FAYETTE.

Declaration of the second State Prisoner, General Latour Maubourg, previously to his Release.

GENERAL de Chasteller has informed me of the inclination of his Imperial Majesty to set me at liberty, and added to this intimation, that he was charged to demand a written answer of me to the following points :

1st. Whether it was true that my captivity has been rendered worse by ill treatment, or whether I had only to complain of the inconveniences peculiar to state prisoners ?

2d. Where I intended to go after my release ?

3d. My assurance not to enter the dominions of his Imperial Majesty without his express leave.

Without giving to the Austrian government any right over my person, and without submitting to the right which it has arrogated to itself over unarmed Frenchmen, who had nothing to do with the provinces subject to the Emperor's domination, I deem it incumbent on me to declare, and do declare,

That I have not been ill-treated, either by words or actions, by the persons who were charged to guard me, nor would I have suffered them to do it with impunity. Meanwhile I must add, that excepting the captain, who now has the inspection over the state prisons, most of the officers who were his predecessors in that service, performed it with peculiar rudeness and neglect, of which it was the natural consequence, that the prisoners were in want of every thing. Those officers, since General Spleny paid very little attention, totally disregarded our wants (perhaps they followed in this respect the orders which they had) ; whence it happened, that from October 1794, the epoch of the arrival of General D'Arco, till the month of January 1797, when that service was transferred to Count Machelicot, I was left utterly destitute of all I wanted, and in general in such a condition as apparently surprised that officer on his arrival, and which he has ameliorated as much as his instructions would permit.

Unacquainted as I am with the code of the state prisons, I do not know whether the treatment which I have borne for these three years past tallies with that code; but what we have heard about the mode of treatment in the justly abhorred Bastille, and what I have read during my imprisonment in Prussia of the treatment in the French prisons, under the barbarous domination of Marat and Robespierre, even my captivity in Prussia, all this had not prepared me for those rigours, which I would not deem possible, especially under the sceptre of a prince whose humanity and virtue I have so often heard praised, had I not had so long and so cruel experience of them.

2. I do further declare, That it is my intention, as soon as I shall have my liberty, to go to Hamburgh, and to remain there till the news which I expect from my family shall have enabled me to take a farther resolution, and till my impaired health at least be so far recovered, that I can put it into execution.

3. With pleasure I renew here the promise which I have so often made to myself, never to travel in the hereditary dominions of his Imperial Majesty, still less to settle in them. But as a thousand circumstances may disconcert the plan I have previously taken to go to North America, and to leave room for no pretext to treat me a second time as a state prisoner, for having fulfilled my duties to my country, I deem it necessary to make an exception in this promise. I therefore except formally the case, little probable at the bottom, where the service of my country, which I was forced to quit, and which will ever be dear to me, or the service of the state where I might in future fix my abode, and which should have received me, should impose on me the imperious law to pay no regard to that promise.

Olmütz, July 25th, 1797.

LATOUR MAUBOURG.

Declaration of the third State Prisoner, Bureau de Pusey, previously to his Release.

GENERAL the Marquis de Chasteler has summoned me, in the name of his Majesty the Emperor and King of Bohemia and Hungary, to expose the complaints which I might have to make, as well against the individuals appointed to guard me, as of the rigours of my captivity, with exception of the measure which the duty of securing my person renders necessary. I answer to this, as I do not know the measure of the regulations of security and rigour which the Court of Vienna thinks necessary to keep in safe custody its state prisoners, I cannot answer the question asked me otherwise than by a faithful narrative of the hard treatment which has fallen to my lot ever since I have been here.

I declare, therefore, that from the 18th of May 1794, to this present day, I have not been permitted, for a single moment, to quit

quit the room in which I was shut up on my arrival ; that I was consequently deprived of every other motion but that which I could make in that room ; that I could breathe no other fresh air but what entered by the windows, doubly barred with iron ; an air frequently so infectious and unwholesome, that the evil exceeded by far the benefit of the enjoyment. I do further declare, that out of the small number of books which I brought with me, about twelve were taken from me, under the pretence of being suspicious ; the same happened with as many maps, which chiefly represented America ; farther, with all the letters from my family, which I had received in Prussia by the channel of the government of that country, till now not a single one of these articles has been returned to me. I declare, that during the first fourteen weeks of my imprisonment at Olmutz, I was not allowed to receive intelligence from any of my relations, who were then all under the axe of the Jacobins in France, and were obliged the more to tremble as they had the misfortune to belong to me ; I was not even allowed to send them a proof of my still being in existence.

I declare, that a servant who had been proposed to me, without my withing for him, at my departure from Luxemburg to Wesel, and who of course accompanied me, was separated from me on my arrival at Olmutz ; that six weeks after I only could see him for a few moments, afterwards only every fortnight, each time for about an hour, then twice a week ; at last, during the last twenty-one months, he was allowed to pass three hours every day in attending on my person.

I declare that I have been constantly refused the use of paper, pen and ink, pencils, compasses, and other instruments of that kind ; nay, and whole months, from the end of November 1794, to the end of July 1795, a small slate was taken from me, which I used for calculations, and in my mathematical studies.

I declare, that I have been constantly deprived of all small articles of furniture, even of those most indispensable with regard to our common daily wants, such as watch, scissars, knife, fork, and razor. Farther, that with regard to my wearing apparel, I was for several months in the most horrid state. To speak the truth, I asked for none ; not that I suspected the government would refuse me what was most necessary in that respect ; but in the first place, because my dress spoke for itself ; and 2dly, because I preferred this privation, to the humiliating discussion on which I should have been obliged to enter on that account. I only once touched slightly on this subject, with regard to Major Chermack, an officer to whose care the prisoners were then entrusted, a man of a savage and brutal character, and incapable of conceiving the most common duties towards prisoners, before whom men of that sort think they ought to show themselves the prouder the more unfortunate the former are. I farther declare, that, excepting the said
Major

Major Chermack, I have no complaint to make against any of the officers who were by turns on duty with me, and it is with pleasure I seize this opportunity to return thanks to Count Mack Elliot, who is now charged with the police of the state prisons, for the polite and humane conduct which he has continually observed towards me.

The Marquis de Chasteller having also informed me, that the end of my imprisonment depended also upon taking on myself the obligation not to return to the dominions of his Majesty the Emperor, without his leave; I hereby declare, that I joyfully bind myself never to enter the dominions of his Imperial Royal Majesty of Hungary and Bohemia, without having obtained his permission; nay, even never crave that permission; excepting however the case of military service, on the supposition of a war between his Imperial Majesty, and the power that will grant me an asylum; as no motive can or shall force me to subject myself to the disgraceful terms of a promise, which might prevent me from fulfilling the first duty as a citizen, to the state that shall grant me refuge.

Olmutz, July 25, 1797.

BUREAU DE PUSEY.

Letter from La Fayette, Latour Maubourg, and Bureau de Pusey, to General Buonaparte.

Citizen General, 15 Vendemiaire (O^r. 6), Year 6.

THE prisoners of Olmutz, happy in being indebted for their deliverance to the benevolence of their country and to your invincible arms, had enjoyed, in their captivity, the idea, that their liberty and their life were attached to the triumphs of the republic, and to your personal glory. At present they rejoice to render homage to their deliverer. It would have been highly gratifying to us to have offered you in person the expression of these sentiments, and to have had an opportunity of taking a near view of the theatre of so many victories, the army which gained them, and the hero who has added our *resurrection* to the number of his miracles; but you know that the journey to Hamburgh was not left to our choice. It is from the place where we bid the last adieu to our gaolers that we address our thanks to their conqueror. In the solitary retreat, on the Danish territory of Holstein, where we are going to endeavour to establish that health which you have saved, we will join to the wishes inspired by our patriotism for the republic, the most lively sense of interest for the illustrious general, to whom we are more attached on account of the services which he has rendered to the cause of liberty, and to our country, than of the personal obligations that we are proud to owe him, and which the most lively gratitude has engraved on our hearts in characters the most indelible.

Health and respect!

Instruction

Instruction addressed by General Buonaparte to the Commissaire Ordonnateur in Chief of the Army of Italy, dated the 11th of August.

1. **A**S the Cisalpine republic pays to the army of the French republic one million per month, all parts of the territory of that republic are consequently exempted from every kind of requisition.

2. The actual limits of that republic are, 1st. the countries situated between the Tesie and the Oglio; 2d. all the territory that formerly composed the Modenese, Bolognese, and Ferrarese.

3. When the troops of the Cisalpine republic shall be stationed on its own territory, they shall be furnished from the magazines of that republic.

4. When the troops of the Cisalpine republic shall be with the French army, or any other territory than that of the republic, they shall be furnished from the magazine of the French.

Proclamation published at Venice on the 16th August (29 Thermidor) 1797.

THE general in chief of the army of Italy wishing to give, in the name of the French republic, a proof of its esteem and friendship for the Sublime Porte, orders, 1st. The generals commanding the different places of commerce occupied by the French in Italy, shall afford special protection to Ottoman subjects, Greeks, and particularly to Albanians. 2d. The Ottoman subjects shall be at liberty to hire lodgings where they think proper, without being obliged to live all in the same house, and be at home at an appointed hour. 3d. The French ships in the Adriatic sea, shall afford protection and succour to vessels bearing the Ottoman flag, and particularly to Greeks and Albanians.

(Signed)

BUONAPARTE.

Liberty, Equality.—In the Name of the Cisalpine Republic, One and Indivisible.

Tessi, Minister for Foreign Affairs, to the President of the Batavian National Convention.

Milan, the 22d Thermidor (9th Aug.), the Fifth Year of the French Republic.

THE bestowing of freedom on the Cisalpine nation has crowned the long series of victories of the French republic. This fair country is at length delivered from our and your enemies; the time is arrived when the political consequence of Italy shall be restored and confirmed. The wish of the Cisalpine people for their

independence, and the exertion of their rights, cannot be more ardent or more strongly expressed. Their motto of union is the same with that of your nation—*Liberty: a Republic*. What a fortunate omen for the fulfilment of a wish so dear to our hearts! It is doubtless the duty of the Cisalpine government, on its first beginning, to make known to the brave Batavian nation, the commencement of a period which must ever be recorded in the annals of history; to that nation, which, from the similarity of its situation, has the same enemies to oppose and conquer. The mutual interests of the two republics cannot but unite them, and induce them mutually to support each other. The Cisalpine people, rendered free by the power and generous support of the French republic, our ally and friend, has opened new channels for the reciprocal trade and activity of the three nations, and will shortly become the firmest bulwark of general freedom and happiness. Let us hasten, therefore, to connect ourselves together by the bands of the strictest friendship; bands which must be indissoluble between two nations, which so cordially love and esteem each other. It is impossible that a nation which has once tasted the sweets of liberty, should willingly put on again the chains of slavery. The uniformity of our sentiments, our confidence in each other, and our ardent wish for the general happiness, are reciprocal bands by which we are connected. The same sentiments are a pledge of the heartfelt satisfaction I personally feel on this occasion, and the delight I feel in the fulfilment of my duty, in communicating to you the joyful intelligence, that the independence of the Cisalpine republic is acknowledged, and that the Directory began to enter on its functions on the 11th of Messidor. The members of it are the Citizens Giovanni, Galeazze Serbelloni, Pietro Moscati, Giovanni Paridisi, Marco Alasandri, and Giovanni Constabili Contadini. Receive then, with the same sentiments with which it is transmitted, this first proof of friendship and alliance which the Directory, through me, considers as a duty and a pleasure to communicate on the part of the Cisalpine people. The sentiments which I have had the honour to express, I feel with the warmest fraternal esteem. Permit me to add the sincere wish of my nation for your individual happiness and welfare; and to assure you of the esteem which I shall ever feel towards you.

Health and fraternity!

(Signed) CHARLES TESTI,
The minister for foreign affairs.

Extract of a Letter from Citizen Noel, Minister Plenipotentiary of the French Republic to the Batavian Republic, addressed to the Minister General of Police, and dated Hague, September 2.

I LEARNT a very singular thing from Marshal Broglio, and which was confirmed to me afterwards, at Brunswick, by above twenty different persons of credibility, viz. that Louis XVIII. had sent to Gotha for his field equipage, and that every exertion was making to prepare it. The Marshal thinks that the King's hopes were never better founded. He believes that he will be recalled.—You have no idea of the language of the emigrants at Brunswick. There are so many, that I am sure Louis XVIII. carries on a correspondence in France, and that it is necessary to watch carefully.

August 28.—I ought to tell you, that the intrigues I see carrying on here give me much uneasiness; there is not sufficient attention paid to them. Many people are led to believe that Louis XVIII. has a strong party in the Council of Five Hundred, and that he will speedily be recalled through their means. The major of Mirabeau's corps, M. Juguier, concerning whom I spoke to you about four months ago, and of whom I also gave notice to Caillard, has at length obtained passports. I believe they came from the manufactory of the Count de Harcourt and Colonel Donn, at Bremen, upon which I gave you a note. He is at Paris, and has written several letters to Mad. de Nadaillac here, and also to the Count d'Escars and St. Maixant, in which he draws a picture of Paris, of the Directory, and of the Councils, which contributes very much to elevate the hopes of the emigrants and of the priests. Nadaillac sent the letters to Madame Reitze, and they were read to the King; they were shown to me, and the Abbé de — exhibits them like relics.—This has a great effect upon the counter-revolutionists, except Haugwitz, who only shrugs his shoulders at them. The Prince of Hesse Cassel, to whom a copy was shown at Pymont, said, that it was written by some rascally emigrant, who deserved the bastinado. It would be well if the police at Paris would watch these gentlemen who arrive a little more closely. They are paid by the English to go and intrigue at Paris. I know that Madame Nesbeth is gone into Switzerland to seek for persons to send into Paris. She asked me for addresses and descriptions for that purpose at Pymont. By the way in which she proceeds, there is money to be made with her. Since the ministers Caillard and d'Anadice have heard of the peace with Portugal, Anadice predicts that the first courier will bring an account of a peace with England; but from what I hear from the Bishop of Derry, Mrs. Nesbeth, Lord Elgin, and others, I entertain no such hopes: I am convinced that the

negotiation is only a farce. Upon that subject I have some proofs, which I should have wished to communicate verbally to you, if they would have suffered me to come.

The English do not want an immediate peace ; they look with too much certainty for the speedy dissolution of the French government, and are making great sacrifices for that object.

Manifesto of the Governor of Turin, Sept. 20, 1798.

HIS Majesty, desiring nothing so much as the maintenance of public peace and tranquillity, has taken all the measures and precautions judged expedient for that purpose, and has charged us, at the same time, to announce, by a manifesto, to all the inhabitants of this capital, its suburbs and territory, that they must positively abstain from all provocation or insult whatever, which might tend to disturb the public tranquillity ; to invite all good and faithful citizens not to frequent any of those places where they might be exposed to the like ; and particularly, not to give ear to the reports which evil-designing men, some of whom abuse the national cockade, propagate, for the purpose of alarming the public mind. His Majesty expects also from the loyalty of the French government, that it will contribute to maintain and confirm, more and more, the good harmony which ought to subsist between the two allied governments.

Admiral Morard de Galles to the Citizens composing the naval Army.

Brest, 26 Fructidor (September 12, 1797).

IN transmitting to you, upon the 24th, the proclamation of the Executive Directory to the citizens of Paris, and, the following day, that to all France, I inspired your republican hearts with joy on the assurance that liberty had triumphed over the satellites of royalty, who had flattered themselves with the hopes of restoring your chains. Now, citizens, I take the earliest opportunity to acquaint you with the details which have officially been transmitted to me relative to this great event, which will restore the republic to all its splendour, and give to its children peace and happiness. These details will inform you, that if hitherto the paternal solicitude of the government has vainly exerted itself to meliorate your situation ; if, in spite of its incessant application to the legislative body to obtain funds necessary for the payment of your salaries and the comfort of your families, you remained naked and destitute, it was because the royalist conspirators who

sat in the legislative body had laboured industriously to dry up the sources of the public treasury, in order to discourage the republican armies by the excess of their sufferings, and to render the republic odious. Now, citizens, these wretches are under the avenging sword of the laws which they have outraged. They are disabled from consummating their horrible conspiracies; and the first exertions of the government, after having disconcerted their designs, have been directed to the land and naval force. Already measures have been taken by it for the payment of your arrear, and the improvement of your situation. Be calm and firm at your posts, as your brethren of the immortal armies have been on the news of this memorable event; and be assured that your chiefs, always emulous to give you the example of patriotism and devotion to the cause of liberty, will not lose sight of the success of the republicans, in order to make you participate with the whole nation in the advantages which this triumph over our enemies will procure.

(Signed) MORAND DE GALLES.

Address to General Augereau, Commander in Chief of the Armies of the Sambre and the Meuse, and Rhine and Moselle, to the Troops composing those Armies.

Fellow-Soldiers,

IF Death were to choose her own victims, guilt alone would be banished from the world; but he strikes without distinction an Achilles and a Therites, a hero and the child of vice and of effeminacy. His scythe cuts down indifferently every thing that presents itself to his blow. Vice and virtue, it is all one. Cato, unable to survive the liberty of his country, tore out his own bowels, and on his smoking corpse, Cæsar reared a throne. Hoche died in the flower of his age, and in the height of his glory, and Pichegru outlived his crimes. Such are the decrees of blind destiny. Soldiers, drop a tear on the bier of the hero, and let a cry of indignation anathematise the traitor! Long deceived, often neglected, sometimes betrayed, what force of arm, what sentiment of glory, what robust patriotism and courageous constancy, did you not require to resist at once conspiracies, sufferings, internal disgust, and the efforts of Austria from without? Doubtless, it is when, with pure intentions and tried republicanism, a chief is appointed to the command of men like you, that victory is rendered subject to his will. Penetrated with this truth, my fellow-soldiers, it is, that I have not hesitated to accept the vast charge which the government has imposed upon me in placing me at your head. I know the extent of the charge, and I am not dismayed; is not this a sufficient declaration of the esteem

in which I hold you? Soldiers, the chiefs of the royalist conspiracy no longer fit in the senate, and the cabinet of Vienna no longer has auxiliaries in the Luxembourg. The Executive Directory, long placed by the conspirators in the cruel impossibility of putting a period to your sufferings, is now seconded by the representatives of the people who remained faithful to the people. The eyes of the government are open to you and to your wants. Its power is far from keeping pace with its paternal intentions. Nevertheless, your sufferings shall be mitigated. It is in order to accelerate the attainment of this object that I remain at Paris. I shall very speedily follow this address, which I send you. I shall bring funds along with me; clothing and fuel shall be provided before the rigour of winter. Every part of the administration shall be purified, and reduced to regularity; and henceforth nothing but unforeseen events can interrupt, and that only for a moment, the discharge of your pay, and condemn you to wants which it shall be my chief care to abridge. Every moment of my life, all my faculties, my whole existence, fellow-soldiers, shall be consecrated to your service. But, in proportion as you ought to expect every thing from my devotion to your cause, I am entitled to require from you a discipline, not tridling in its details, nor degrading, but just, severe, inflexible, and completely republican. Patriotism and courage are virtues which it is easy for you to practise. If, however, there are men among you to whom it is painful to exercise them, let them quit their ranks, let them withdraw. These enemies of liberty ought to have no share in the glory of her children. Soldiers, let your bravery catch fire from the sacred love of your country, and let the rise of your glowing energy strike terror into your enemies beyond the Rhine, and inspire with dismay those whom you leave behind that river. The Emperor, it is said, is raising levies. Poor wretches, torn from the plough, and trained by violence, are coming to swell the number of his satellites. Vain precaution! France, restored to the vigour of republican institutions, is at this moment one entire army, of which we are only the advanced guard. In a word, if our enemies remain obstinate; if, rejecting the pacific offers of our government, they still wish for blood, why then let them be satisfied. They are only so extensive in their demands, because we were so generous, and *let it one day be asked, if the people of Vienna ever had masters?*

(Signed) AUGEREAU.

Proclamation

Proclamation of the Executive Directory of the Cisalpine Republic on the 14th Sept. 1797.

THE Executive Directory, considering that it is necessary to maintain public order against the efforts of the disaffected, who in the present circumstances endeavour to deceive the people, in order to re-establish the ancient government, or to disorganize that which exists, ordains that any person who by word or deed shall endeavour to favour monarchy, the constitution of 1793, or any other form of government different from that which exists, shall be considered as a disturber of the public peace, and instantly punished on the spot as such with death, agreeably to the law of the 5th of August last, enacted against the enemies of public tranquillity.

(Signed) G. G. SERBELLONI, President.

Buonaparte, Commander in Chief of the Army of Italy, to the Soldiers and Citizens of the eighth Military Division.

Head Quarters, Passeriano, 36 Fructidor.

SOLDIERS and citizens of the eighth military division, the Executive Directory has put you under my military command. This task, painful to me, will be useful to your tranquillity. I know the patriotism of the people of the southern departments. Men, enemies of liberty, have in vain sought to lead you astray. I shall make the necessary dispositions to restore to your delightful country, happiness and tranquillity.

Patriots! republicans! return to your homes: evil to that commune which shall not protect you: evil to the constituted body which shall shield crime and assassination with indulgence!

And you, generals, commanding the places; officers, soldiers; you are worthy of your brothers in arms! Protect the republicans, and suffer not the men covered with crimes, who delivered Toulon to the English, which cost us a long and painful siege, who in one day burnt thirteen ships of war, to return and give us law!

Municipal administrators, justices of the peace, act as your conscience directs. Are you friends of the republic, of the national glory? Are you worthy of being the magistrates of a great nation? If you are, execute the laws with precision, and know that you shall be responsible for the blood that may flow under your eyes. We shall be your friends, if you are attached to the constitution and to liberty. We shall be your enemies, if you are only the agents of Louis XVIII. and of the cruel plots fomented by foreign gold.

(Signed) BUONAPARTE.
Speech

Speech of Buonaparte, Commander in Chief, to his Soldiers, on the 1st Vendémiaire (22d September).

WE celebrate the 1st Vendémiaire, the epoch the most dear to Frenchmen : it is a day that will be much celebrated in the annals of the world. It is from that day that we date the foundation of the republic, the organization of a great nation which is called by its destiny to astonish and console the world.

Soldiers! distant from your country, and triumphing for Europe, chains have been prepared for you. You know it; you have avowed it; but the people awoke, seized the traitors, and already they are in irons. You will learn by the proclamation from the Executive Directory, the plots of the particular enemies of the soldiers, especially the enemies of the divisions of the army of Italy. We honour this preference! The hatred of traitors, of tyrants, and of slaves, will be in history our best title to glory and immortality!

Thanks to the courage of the first magistrates of the republic, of the armies of the Sambre and Meuse, and the interior; to the patriots, to the representatives remaining faithful to the destiny of France; they have accomplished, at one blow, that which for six years we have laboured to give our country.

(Signed) **BUONAPARTE.**

Report to the Executive Directory respecting Emigrants, on the 25th September 1797.

Citizens Directors,

THE law of the 5th September, rendered necessary by the dangers to which the royalist conspirators have exposed the constitution and the republic, bears that character of greatness and wisdom which has directed the steps of the two powers in the late circumstances. It was received with transport throughout the republic. The French people considered it as a solemn pledge of the virtue of the legislative body; and, thanks to that body, history cannot reproach that remarkable epoch with a single excess. The execution of this salutary law must deliver the republic from its greatest enemies, emigrants and turbulent priests. Its regulations are simple and humane; it does not require the blood of those men who have only signalized their return on the territory of the republic, by troubles, revolt, and assassinations; it merely expels these from a country, to the laws of which they refuse to submit. The advantages resulting from this measure are immense and inestimable; the inconveniences are slight and partial. You require to know, citizens directors, what are the exceptions
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which it will be possible to make to this 15th article of the law. You inform me at the same time, that some legislators have proposed to except from this article the persons set down on the list of emigrants by the administrations of other departments than that in which they resided, and that the Council of Five Hundred has referred to you the petitions of two soldiers who complain of having been unjustly set down on the list. To pass in such cases an exception to the law, would be to destroy the principal law. There are, without doubt, well-founded protests against the law; doubtless, citizens, there are some citizens, some public functionaries, and even some defenders of the country, who are affected by the law; but the magistrates and legislators of a great nation cannot sacrifice the interest of the whole to that of individuals. It has been proved to demonstration, that the emigrants and rebellious priests must be banished the French soil, or that the constitution and the republic must be exposed to the hazards of a civil war, and to the calamities to which it gives rise. It is in vain to urge, that to except such and such a class of citizens from the operations of this law, is not to destroy it; experience has shown, that when once the principle is attacked, interest and malice can take advantage of it, and render the most severe law void. It was by means of similar exceptions that the emigrants were heretofore recalled as fugitives from the lower Rhine, as fugitives from Toulon, and as fugitives from the colonies. The most constitutional law, citizens directors, is that which drives emigrants from the republic. By how many captious arguments, by how many apparently authentic proofs, is it easy to deceive on the question of emigration! Have I not lately communicated to you the fraud of a great number of emigrants, who, having been able by corruption to substitute their names in the places of those of the defenders of the country, have demanded to be struck out as such? How many others, if the proposed exception were to be adopted, would equivocate as to the place of their habitation, and would elude the effect of the law by a thousand tricks? Every emigrant would by these means remain in France. Yes, citizens directors, I have no hesitation to declare to you, that the safety of the republic depends on the strict execution of the law of the 5th of September. The partizans of royalty, and the accomplices of the late conspirators, are far from believing themselves conquered; they are already, you know, assassinating the public functionaries in several of the departments; the important correspondence which a little while ago fell into your hands, exposed to you the vast plan of destruction and death, the bloody execution of which you prevented on the 4th September; and now, when the French nation, in order to put an end to so much wickedness and crime, is contented to drive from its bosom its most avowed enemies, are they fearful of exercising this great act of justice, because it affects the

the interests of some individuals. The most equitable law is that which produces the least injustice. No one better than myself, citizens directors, can bear testimony to your constant solicitude to distinguish the innocent from the guilty. I have in every case, as far as I have been able, exercised this sentiment of justice, and every day which has elapsed since the law of the 4th September, has been marked by the erasure of a great number of citizens whom error or malice had set down on the list of emigrants. As to the rest, the legislative body may remain tranquil; you have in your hands, and you have already made use of means which have mitigated the rigour of the laws, and which will prevent the innocent from being confounded with the guilty. As to myself, I cannot dissemble, I think the law ought to be fully carried into execution; by that you will put an end to those conspiracies, and disconcert the projects of our external and internal enemies, and drive out of the republic those who would tear her bosom. To mitigate this law would endanger the constitution; even to hesitate to maintain it, is a public calamity.

(Signed.) SOTIN.

The Minister of the Interior to the Commissioners of the Directory in the different central and municipal Administrations.

Paris, 24th Fructidor (Sept. 10).

Citizens Commissioners,

I THOUGHT that I should have maintained my correspondence with you much longer than I now will do. I hoped that I should have continued to avail myself of that medium, and of the confidence with which you have distinguished me, in order to reanimate the republican spirit. But when I hastened, upon the 18th Fructidor, to apprise you of the events of that day, I did not imagine that I should have quitted so soon the office which I held. Obligated to leave it, I am desirous once more to renew my correspondence with you, before I quit the office of the minister of the interior for the Directory.

You now know, citizens commissioners, that the Directory was seconded by the representatives, who have remained faithful to the republic. Let us not lose the fruit of such a glorious triumph. It has made no man wear mourning; it has cost no man a tear; its purity is not stained with a single drop of blood. May the example of the tranquillity, the order and public spirit of the commune of Paris, be imitated throughout all the departments! No person was seduced to follow the standard of the royal conspirators: they imagined they should have had a powerful party, and an army; they found themselves alone. In all that has passed since

since the 1st Prairial, the proofs of treason were so evident, so palpable to every eye that was willing to see—the conspirators maintained so little reserve, and boasted so publicly that they were sent to recommence, as they were wont to say, the revolution; they had so openly called their 1st of Prairial a new 14th of July, that no man can deny their intentions but he who partakes their views. It seemed almost superfluous to add to these proofs the particular facts that had been collected, and the decisive documents which have been printed. In a word, no doubt remains; and the world will be more surprised still, when prudence shall permit us to fathom the depth of the abyss into which France was about to be plunged by the machinations of the royalist conspirators. It is possible, however, that the latter may find apologists among the sycophants of slavery. The enemies of the people and of the republic will not fail to repeat, with that hypocrisy which is peculiar to them, that the constitution has been violated, and liberty attacked. Perfidious traitors! they invoked the constitution only that they might compass its destruction; they spoke of liberty, while they laboured to restore servitude. Ah! if it is necessary to reply to their objections, tell them that hitherto the genius of the republic has watched over its destinies, and that it is ever ready, ever armed, to crush them to atoms.

Republican commissioners, represent to the people with what desperate art the royalist commissioners had laboured to secure the success of their plots. The sovereignty of the people was the respectable cloak under which they had concealed themselves, in order to tear from the people their rights. It was by usurping all the constituted powers that they flattered themselves with the hope of extinguishing all these powers. It was by corrupting public opinion, by the licentiousness of the press, of which they made a privilege and an exclusive monopoly for themselves and their friends; it was by letting loose the vengeance of the emigrants, and the fanaticism of priests, the enemies of liberty; it was by daily destroying, piece-meal, republican usages and institutions; it was by provoking an execrable civil war in the name of humanity itself, by preaching the murder of all the purchasers of national property in the name of justice, by renewing the massacres of St. Bartholomew's day in the name of the God of peace, that they laboured to restore the worship and the laws of their fathers. Tell the French people, then, that one day has sufficed to disconcert all their machinations. Thanks to that fortunate day, we can now breathe, without restraint, the air of liberty! We can now pronounce, without fear, the delightful name of citizen, the beloved name of the republic, and the sacred name of the constitution! We can now talk, without danger, of the grand exploits of our warriors, of their virtues and their glory!

It is well known, that on the evening preceding the 18th Fructidor, placards, journals, the hired railers of the royalist commissioners, insolently bawled abroad the crimes of Buonaparte ; while, in the tribune, the orators dared to revile the liberty of Italy. On the evening preceding that day, they affected to tell us of the faction of Orleans, a chimera invented to conceal the real faction of the friends of Louis XVIII. You have seen whether both have not been repressed by a just proscription. Above all, they affected to tell us incessantly of terrorism and of anarchy, in order to divert our attention from a much more dreadful anarchy, and a much more serious terror, which they were desirous to organize. You have seen, too, whether, on the 18th Fructidor, anarchy and terror have tarnished the wisdom of the operations of the legislative body, and of the government. You have seen, whether, for a moment, the idea was entertained of again rearing scaffolds and bastiles. It is time to banish that odious abuse of words—to carry back men's views, their sentiments, their hopes, to the republican system, and its institutions—to reinvigorate public spirit—to reanimate, in France, patriotism, enfeebled, attacked, depraved by so many infamous arts.

Till you receive the wise measures which the executive power and the legislative body are about to adopt in concert for their objects, it belongs to you, citizens commissioners, to begin this important work. It is your business to tell Frenchmen, that their rights as well as their duties were engraved by nature upon their hearts, before they were written on the table of the laws. Nature, before the constitution, said to man, " Be just, if you wish to deserve freedom ; be virtuous, if you wish to preserve liberty ; adore your country, if you wish to be protected by its laws." Such is the only language which the government speaks to the French people. You will receive from the Executive Directory the proclamation which has been addressed to the French nation, to represent to them, in the present situation of affairs, the necessity of an unanimous and permanent return to republican usages. You cannot too much insist upon the truths contained in this proclamation ; you cannot diffuse them too widely ; and engrave them upon your own hearts, in order to impress them upon those over whom your jurisdiction extends.

You have remarked, doubtless, that perfidious combination, that system, pursued with a constancy truly invincible, by which the conspirators had almost insensibly moulded the manners, the habits, the institutions of democracy, to aristocratic, sacerdotal, and royal forms. In a republic, men almost were prohibited to be republicans. The glorious title of citizen, which is not fully known, which is not used but by free nations, had become the object of contempt and insult. The language of the conspirators was the language of slaves. The names of patriot and friend of the

the government were, in their jargon, the shameful synonimes of villain and assassin. To love the constitution, was to incur the reproach of brigand. Our patriotic airs, those immortal hymns which so often have led our defenders to victory; those republican songs, which electrified the heart in the first enthusiasm of our revolution; those airs of liberty were, in the ears of the partisans of kings, only cries of pillage, and the sounds of murder! Those whom we once heard scoff at Heaven, and ridicule priests, were now become apostles! What do I say? Those who boasted with morality, with virtue, with religion, affecting their language, reproached the French with the want of virtue, of religion, of morality; because the French no longer looked with respect on the virtue of slaves, on the morality of courts, and the religion of murderers and executioners.

Citizens, let us strenuously urge the French to resume more than ever their republican disposition. Let us prove to the wretches who have ridiculed our laws, dictated by philosophy, that we have not studied in vain the lessons of experience; that we have traversed the ages that have been contained in the interval between the year 1789 and 1797, to expose ourselves anew to those reactions which perpetuate the torment of revolutions, and the excesses of anarchy which dissolve the social body. Such has ever been the aim of our perfidious enemies. At every period they have assumed every form, and provoked every excess, in order to decry and dishonour liberty. They laboured to disgrace the revolution with horrors, in order to accuse it of the calamities of which they themselves were the authors and the accomplices. Preserve the French people from falling again into that horrible snare. Let them repose upon the vigour of the government. Independently of the means it possesses, its principle will consist in the tranquillity of the people, in their obedience to the laws, in their inviolable respect for their fundamental charter. Liberty consists in the execution of those laws which a people have instituted for themselves. Such is the standard of freedom, the inexhaustible source of pure republican spirit.

That spirit of light and life which the love of the republic diffuses in the hearts into which it penetrates, has been unfortunately misconceived and dishonoured: it is essential that it should be beloved; and to cause it to be beloved, it is necessary that it should be better known. It is by instruction, by sentiment, by whatever can strike the imagination, the senses, and the heart, that the success of the sacred cause which has just triumphed must be completed. You will therefore say to the journalists—"Political writers, if your hearts be inflamed with the fire of patriotism, you will cause it to rekindle in your productions; and in your useful censures, in your lessons and counsels, you will add decency to the noble frankness which ought to inspire you

with zeal for the public good: leave to the libellists spleen and imposture: cause the laws to be beloved; and you will thus enhance the value of your efforts and courage, instead of plunging yourselves in the mire of guilt and calumny." You will say to men of letters and dramatic writers—"Children of genius and the arts, consider that, under despotism, Corneille, Moliere, and Voltaire, dared to attack the despots, the Mahomets and the Tartuffes. What would they not have done, had they written for liberty? Venture, then, to tread in their steps; reproduce on your stages republican traits and the heroical virtues, which it is no longer necessary to seek in the annals of history. Describe the folly, and unmask the knavery, of our new apostles, of our modern converts, of the perfidious slanderers of our liberty, and of our false friends. The public morals may, in your hands, become a magistracy: employ them for the general good of the state; and let your talents concur in propagating the republican spirit in France."

Recall, more especially, recall to our national festivals, those who are urged to keep away from them. Those who dreaded their influence, turned them into derision; but it is a fact, that the people were never present at them without a pleasing emotion. It is not the expense of them which constitutes their merit; brilliant by the *eclat* which the love of the country supplies at a small expense, these festivals ought to assemble all its sincere friends; and it is impossible that so affecting a spectacle should not inspire every heart with that republican spirit which the conspirators may for a moment have repressed, but which they have not destroyed. Repeat to all the French, that the events of the 18th Fructidor have restored to them the republic; that they ought, in their turn, to restore to it the republicans, that they should punish themselves at being so, both in their private and public life, as well in the midst of their families as in the relations of society. It is by moderation, by wisdom, and by sound ideas of liberty, equality, and philosophy, that the triumph of true principles may be established. The first authorities have furnished them a high example of what is inspired by courage, by the love of the country, and by a zeal for the public good. Let each citizen imitate this example! The French name will be the pride and glory of the nation; and its power, cemented by the union of the wills of all, will at length snatch the last hope from those obstinate enemies, who, having found it to be invincible without, reckoned entirely, in their aim at subjugating it, on the disturbances within. You will perceive, citizens, that the conspirators promised them that the country, torn in pieces by its own hands, could no longer resist them, nor preserve from their touch its scattered fragments. This was the greatest of their crimes: in speaking to you of peace, they invited war; but the monsters are removed.

We will now think of nothing but returning thanks to the genius of the republic ; and we will lighten up the sacred fire, the holy love of the country, the national spirit, which they have endeavoured to extinguish. This is the last wish which the minister addresses to you ; it is the same sentiment which is about to regulate in him the conduct of the director.

Health and fraternity !

(Signed) FRANÇOIS DE NEUFCHATEAU,
Minister of the Interior.

Letter addressed, in the Name of the Helvetic Body, to the Minister for Foreign Affairs of the Cisalpine Republic.

Citizen,

THE dispatch, dated the 18th of July last, which you addressed to the diet assembled at Frankenfeld, reached it about the end of that month. This is the only reason why your obliging letter has not been sooner answered, and that thanks have not been returned for the official notifications of the establishment of the Cisalpine republic, and the organization of its government.

It was highly agreeable to us to receive, through you, assurances of the amiable disposition which the Cisalpine republic is pleased to manifest towards our confederation. We have always endeavoured to preserve the greatest harmony with the states which surround us. It will therefore afford us the greatest satisfaction to enter into a friendly correspondence with that republic, and to promote the advantage of both states, by pursuing the same line of conduct which we have hitherto invariably held.

We entreat you to assure the Executive Directory of the sincerity of these sentiments, of our zeal to prove that sincerity upon all occasions, and of our ardent wishes for the prosperity of the Cisalpine republic. We hope also, on your own part, that you will remain convinced of the particular consideration we entertain for you, and with which we are, &c. &c.

(Signed)

LUGO,
Landman of the Thirteen Cantons.

Done in the name, and sealed with the state seal of the confederation, at Zurich, September 13, 1797.

Pastoral

Pastoral Letter from the Archbishop of Mechlin, to the Commissioner of the Executive Directory with the Administration of the Canton.

Citizen Commissioner,

THE Catholic, Apostolic, and Roman religion, which I profess from my heart, and of which I am one of the principal pastors, positively prohibits me from taking an oath of hatred, whether it relates to the person of a king, or to royalty itself. In the first instance, we ought to love our neighbour, even though we suffer injuries;—in the second, royalty being good in itself, and of divine institution, it cannot be an object of hatred; which hatred is not permitted to one or the other, without renouncing the principles of Christianity; much less to call God to be the witness to an action, the perpetration of which is forbidden under pain of eternal punishment. The impossibility in which we now find ourselves of fulfilling what is required of us, should by no means render our fidelity suspected; for I flatter myself that you have sufficient grounds for informing the government, that neither myself nor any of my clergy would make any scruple against promising to the republic, and if necessary, under an oath, never to co-operate, either directly or indirectly, in the re-establishment of monarchy in France; and that the said government may be perfectly assured that they shall never have cause to punish any infractions in the priests, for acting in opposition to their views, except when the laws of the constitution shall be irreconcilable with the laws of God and the precepts of the gospel. For what remains, we have given, and shall continue to give, evident proofs of our submission to the powers to which Divine Providence has subjected us; and the Belgian clergy have hitherto certainly conducted themselves in such a manner, in the patient sufferance of the loss of all their effects, that it is scarcely possible to find any subject of complaint against them.

Health and fraternity.

(L. S.) JEAN HENRI FRANKENBURG,
Archbishop of Mechlin.

Proclamation of the Executive Directory to the French People, That the French Armies be complete and ready to march on the 15th Vendemiaire next, C^{et}. 6.

Citizens,

Fourth complementary Day, 5th Year.

THE 18th Fructidor has reduced to silence the orators of London, who held their sittings in Paris.

Since that memorable day, the English ambassador, urged to explain

explain himself in a positive manner as to the first object of his mission, has returned to England.

On her side, Austria suffers herself to be governed by the cabinet of St. James's, which is incessantly bartering for the division of Europe, and the commotions of the continent. The Emperor himself acts in contradiction to the wishes of his states, and those of his heart: he resists the need his people have of peace, and gives himself up exclusively to preparations for war.

His armaments warn us of what we have to do for ourselves.

It is intended to take advantage of that generous confidence which led us to subscribe to the preliminary articles of Leoben—if, with peace ever in their mouths, our enemies breathe nothing but war—the French nation, which speaks of war only because it wishes for peace, must prepare itself to preserve its dignity; and the valour of its armies must resume its advantages.

It, above all things, behoves us fully to convince the enemy, that there now no longer remains in France but one single party, one sentiment, one interest—that of the sovereign people, who are sensible of their grandeur, and will preserve their liberties.

The Executive Directory consults only these motives.

The constitutional law authorizes it to provide for the safety of the State. It feels a satisfaction in making you judges of the reasons which determine it to make use of that sacred right.

Your enemy, who could not resist your courage, thought to vanquish you by craft. He deceived you by the parade of his negotiations. Had he sincerely wished for what he appeared to seek, peace would have been concluded. The Executive Directory had been eager to stop the career of the French armies. It yielded sincerely to the hope of conciliation which was made to glitter before its eyes; and it exulted in idea at the means which it was going to have in its power of rendering liberty dear, and of procuring France as much happiness in peace, as she had acquired glory in war.

But, after having obtained that interruption to the course of our victories, what was the intention? To gain time; to foment among you intestine divisions; to take advantage of their effects, to make Frenchmen massacre one another, until the proper moment should arrive when they might fall upon the wrecks, and divide among themselves the bleeding parts of a thus divided country, and blot out France from the list of nations! Republican frankness could not suspect this snare of the politics of courts; but you have seen, citizens, whether this plan has been faithfully followed. Your public officers composed for the greater part the auxiliary army which fought in the midst of you for your most cruel enemies. They had called for hordes of those barbarous emigrants, eager to tear the bosom of their country, and those fanatic priests, skilled in blowing about every where the murderous
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zeal of homicidal piety. The national tribune no longer re-founded but with the voice of the deputies of Austria and England calumniating your defenders, insulting your generals, busy in falsifying your government, and reducing it by degrees to that absolute state of insignificance which corresponded so well with their royal instructions, and the wishes of their employers.

At length the veil is torn off: the partisans of foreigners are no longer the organs of the national will: the helm of the republic is in republican hands, and the people of France have French representatives.

Citizens, in these circumstances, what part ought your magistrates to take? Animated with the sincere desire of giving to France a solid and lasting peace, worthy of the republic, suitable to its interests, and consistent with its engagements, in what manner ought they now to repress the insolence, and elude the frauds of the cabinet of London? How ought they to act, to compel the cabinet of Vienna to remain no longer indecisive, and to deliver Austria itself from the English influence, the only real obstacle to the peace of Europe?

There is but one course to be taken. Since your enemies, while they feigned to negotiate, preserved themselves in a hostile posture, their example compels you to resume your arms, and at once absolves you from the blame of all the calamities which must be, to their countries, the inevitable consequence of the rupture of the truce.

If war be a scourge which cannot be sufficiently detested, but the horror of which falls upon its authors; if humanity revolt against those who shed blood, who destroy cities, and lay waste provinces, without any necessity; if the authors of an iniquitous war be responsible for the death of the slain, for the burning of habitations, for the destruction of commerce, and for all the disorders and crimes which men in arms commit; if those who unreasonably nourish the fury of war be ferocious monsters, unworthy of the name of men, and not only the enemies of the countries through which they spread devastation, but of all the human race: you, who have been forced to combat, during six years, for your independence! you, whom perfidious politicians have endeavoured to make the victims of civil war! you who, conquering and triumphant, have reeled your arms, to propose and to listen to terms of peace! you have not to fear the imprecations, the anathemas, which nature and justice will direct against your enemies! Compelled to return to the sanguinary contest from which you had withdrawn, you can declare your intentions before all the world, and take Heaven to witness that the cause you defend is just.

Resume then your arms, citizens, without ceasing to desire peace. Your government perseveres in offering conditions which
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are reasonable: perhaps the warlike countenance you are going again to assume will be sufficient to make these conditions be acceded to; but if they be refused, you will maintain the honour and the laws of the republic.

In the name of the nation, to fulfil its will, to secure its rights, to preserve its glory, the executive power recalls to their standards all the defenders of the country who are not at their posts, from whatever cause they may be absent.

The Executive Directory, therefore, require their commissioners in the departments to cause to be executed, without delay, and without exception, the laws of the 4th Frimaire and 4th Nivose, of the 4th year, the decree of the 4th Ventose, and other subsequent decrees, and to make all the troops of every description, and all persons belonging to the requisitions, who may be found in their departments, join the armies by the 15th Vendemiaire (October 6).

Frenchmen! it is necessary that your armies be completed by that period, that they be ready to march, and that their imposing and terrible attitude command that glorious peace which should have, six months ago, been the fruit of their triumphs.

The Executive Directory decree, that this proclamation shall be printed, solemnly published, and posted up in all the communes of the republic, under the direction of the commissioners of the central and departmental administrations; and that the minister at war shall take every measure for its prompt and effectual execution, an account of which he shall render in three days to the Directory.

(Signed) L. M. REVEILLIERE LEPAUX.

The Minister of the Marine Department and Colonies to the Civil and Military Officers, and to the Seamen and Marines of the Navy.

Citizens,

THE time is at length arrived, when peace, restored to the continent by the wisdom of the Executive Directory and the valour of our brave armies, leaves to the republic only one enemy to vanquish. The solicitude of the legislative body and the government, the hopes of the whole nation, will centre in the navy, and the most efficacious means will concur for the increase of this most important part of the public force.

Marines, it is you who henceforward will have to fight; it is to you that is reserved the honour of terminating a war, which has for so long a time afflicted human nature, to sooth the ambition and hatred of a proud and perfidious power.

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YOU

You remember what has been the policy of the English government since the commencement of the revolution : it was it that by artifice and manœuvre set on foot the coalition of the kings of Europe against a nation which wished to enjoy liberty, and which, exclusively occupied in its own regeneration, had solemnly declared that it would not interfere with the government of any people.

It was the English government that sowed in France the seeds of trouble, mistrust, dissension ; which lavished gold to divide the first authorities, and to disgrace, by its excess, our most noble institutions.

It is the English government which, in despite of the rights of men, attempted to ruin our finances by the introduction of false assignats, and by the adulteration of the coin.

It is the English government which, having got possession of the port of Toulon, not by force, but by the basest treachery, threw into dungeons, or caused to be assassinated, your brethren in arms faithful to their country. It was the English who, forced to fly shamefully, carried flames into the magazines, the vessels, and the habitations of the citizens, in the hope of converting into an heap of cinders this bulwark of the republic in the Mediterranean.

It is the English government that lighted up the torches of civil war in La Vendée, in the departments of the West, at Lyons, and in the South. It was it that drew together, under the banners of fanaticism and aristocracy, credulous men deluded by traitors, who had sold themselves to that government. It is it, that for the space of four years has incessantly fanned that consuming fire, little caring whether it was prosperous or unsuccessful, provided the blood of Frenchmen flowed.

It is the English government that has vomited upon our coasts the refugees who wished to tear the bosom of their country, in order to subject us again to the yoke of despotism. It is that which, by every kind of seduction, introduced all the royalists who proposed the counter-revolution, and whose infamous projects were defeated by the glorious day of the 18th Fructidor (September 4).

It is that government, in fine it is that alone, which prolongs the troubles that still agitate several countries of the world, and endeavours to deceive Europe by false demonstrations, and an apparent desire of peace.

Sailors, the most brilliant career now opens before you : soon will the army of England be assembled on the ocean : you go to mingle with the conquerors of Fleurus and Arcola ; the hero of Italy, all those brave men who have extended the limits of the republic, shall be in your ranks, in your vessels, and their presence
sence

sence alone shall make the enemies tremble, who shall not long have any barrier to oppose to you.

Administrators, a grand task is imposed upon you: the works must receive a new impulse; activity is about to reign in the arsenals; and the genius of liberty, which has created the French armies, which has produced so many prodigies, which has triumphed over so many obstacles, will preside over the restoration of the navy. Felicitate yourselves in your co-operation in so important a labour; and let the love of the country, that energetic sentiment which, under royalty, is no more than a vain word, which exists only in republics, redouble your zeal and your efforts.

All you, citizens, to whom the Executive Directory confides the dearest interests of the republic, depend upon its paternal solicitude; the end of your privation is at hand; your wants and those of your families shall be provided for, and you shall have no longer to struggle against that penury which has so long afflicted you, without diminishing your courage. Second the endeavours of the government; remember the cause which you are to defend, and you will defend it: be all united in the same sentiment; let the same wish exist in every heart which should be pronounced from every mouth, "*Perish the English government! Live the republic!*"

Note presented from the Ambassador of the Ottoman Porte, respecting the Occupancy of Dalmatia and Istria by the Imperial Troops.

Citizen Directors,

THE unexpected occupancy by the Austrian troops, of Istria and Dalmatia, the reports circulated that his Imperial Majesty proposes to maintain himself in the possession of these provinces, will not suffer the Ottoman Porte to remain indifferent as to the future state of a country so near to its dominions, and belonging to an ancient republic, its faithful friend and ally. The ambassador of the Ottoman Porte finds himself obliged to explain to the Directory his sentiments on an object which the interests of his court, and the friendship subsisting between it and the French republic, require to be taken into serious consideration. The ambassador is far from believing, that the above-mentioned occupancy could have been made by the silent or explicit consent of the general in chief Buonaparte; and he is firmly persuaded, that that illustrious general must have seen with displeasure a proceeding so arbitrary, and so contrary to the interests of the Ottoman Porte, as well as to those of the French nation, in

whose name he commands the armies of Italy. The ambassador knew how to appreciate as highly as he ought the loyalty of the French nation. He knows that, constant to the principles of real friendship, it could not fail to remark the firmness which the Porte has shown, since the first moments of the political regeneration of France, to remain its faithful ally, and how much the influence of its sovereign on the powers of Barbary has contributed towards provisioning the French southern provinces, in circumstances the most critical. The French nation is too dear to its heart for it to believe, that in the moment of negotiation for peace, and when it is about to restore tranquillity to Europe, the French government would consent that the above provinces should remain under the power of Austria. The ambassador cannot think but the Executive Directory will employ all means, and even the force of arms, to oblige the Emperor to relinquish them.

The ties of strict amity and alliance which unite the Ottoman Porte to the French nation, require that the Directory should use all its efforts to that effect. This affair is of such importance, that the utmost precautions are necessary to prevent the grievous consequences that might result from the contrary. It is a common interest. If Istria and Dalmatia be granted to the Emperor, there can be no doubt but, become master of those naval forces which belonged to a peaceful republic, he will rise to the rank of a maritime power, and acquire means terrible and perfectly disastrous to the Ottoman empire. This alliance with Russia and England, whose known designs are to drive the Sublime Porte, if possible, from the European provinces, will acquire a strength to which it will not be easy to oppose sufficient obstacles. The Black Sea will be open to the Russian fleets, and the Adriatic Sea to those of the Emperor. If he remains master of Dalmatia, to which will necessarily be united the republic of Ragusa and Albania, Bosnia will be entirely uncovered, and must yield to the first shock, because it is destitute of fortresses, and would be surrounded every where, but on the east, by the Austrian countries. Epirus, Macedonia, and the other countries as far as the Morea, would run the same risk. The commerce of the French would be annihilated in the Levant, since the productions and merchandises of Hungary, Dalmatia, and Germany, could be more easily and speedily embarked and conveyed, by a shorter passage, than those coming from the Mediterranean. This short exposition will no doubt offer ample materials for the reflections of the Directory, and it will have no difficulty to convince itself, that the glory and interests of France require them to take decisive and efficacious measures. The French republic will show the same loyalty and constancy that it has always done towards its ally the Grand Seignior. Firm in its sentiments, it will

will not suffer itself to be the cause of injury to a state, which, on all occasions, and in moments of the greatest embarrassment, knew how to resist the intrigues and insinuations of its enemies. The ambassador, fully convinced that such are the sentiments which guide the Executive Directory, expects shortly to see the happy effects of them: it will be to him the highest satisfaction to be able to transmit to the Sublime Porte assurances to that purpose.

Proclamation of the Executive Directory to the French People, 5th Brumaire, 6th Year (26th October).

Citizens,

THE proclamation of the fourth complementary day, the fifth year, had for its object to put the French armies in a condition to march on the 15th Vendemiaire.

The defenders of the country have heard the voice of the Executive Directory; on all sides they rejoined their respective armies, and the minister of war has given in on this head the most satisfactory accounts. By this generous ardour, by this eagerness to maintain liberty, we have recognised the men of France.

Their warlike countenance has already overthrown the obstacle which the cabinet of St. James's so long opposed to the conclusion of peace with the Emperor. At the sight of your attitude, Austria returned to her real interests, and on the 26th of last Vendemiaire the treaty, suspended for more than six months, was signed at San Formio, near Udina, between the general in chief Buonaparte, plenipotentiary of the French republic, and four plenipotentiaries of the Emperor, King of Hungary and Bohemia. You will learn with pleasure, that several millions of men are restored to liberty, and that the French nation is the benefactress of the people.

Yet this is not all. To settle the peace of the Empire, a congress is to be assembled. Citizens, every thing presages that you will in a little while gather the fruit of so many sacrifices. The peace of the continent will soon be fixed upon eternal bases.

It only remains for you to punish the perfidy of that cabinet of London, which still blinds courts in such a manner as to make them the slaves of her maritime tyranny, and which deceives the English themselves, by extorting from them the means of prolonging upon the ocean the calamities of war, the effusion of human blood, the destruction of commerce, and all the horrors that it trades in and pays, but which must soon fall alone upon her. It is at London that the miseries of Europe are fabricated: it is there that we must put an end to them.

Citizens,

Citizens, under these circumstances, you see near at hand the period of those military efforts which the government expect still from French valour ; but until the near approach of that moment in which this object may be fulfilled, take care not to lay down the arms which render you so terrible to the enemies of your independence ; take care not to listen to the perfidious machinations of those who would render the effects of your triumphs null. They will repeat to you, that peace being made, you ought to hasten to return to your homes. Yes, without doubt the Directory have just signed for you a peace ; but to enjoy its blessings we must complete our work, ensure the execution of the treaty concluded between France and the Emperor, decide speedily those to be concluded with the Empire, crown at length your exploits *by an invasion of that island*, whither your ancestors carried slavery under William the Conqueror, and bring back thither, on the contrary, the genius of liberty, which must land there at the same time with the French.

Citizens, be assured that the government desire to accelerate the happy moment, in which, in concert with the legislative body, they shall be able to reduce the armies to a peace establishment, reward the heroes who compose them ; and, after having consecrated their valour by monuments and fêtes worthy of their triumphs, circulate throughout all their cantons the true republican spirit, with which the armies have been constantly animated, by sending back to their homes all such of the defenders as shall have a right to return to them.

But you shall judge of it yourselves—the hour is not come—yet a few moments more, and the French republic, triumphant, confirmed, and every where recognised, shall enjoy the repose which she will procure for the world.

Decree of the Executive Directory, 5th Brumaire (26th October), the 6th Year.

THE Executive Directory resolves as follows :

1. There shall be assembled, without delay, upon the coasts of the ocean, an army, which shall take the name of the Army of England.

2. Citizen general Buonaparte is appointed general in chief of that army. It shall be provisionally commanded by citizen Dafaix, general of division, who, for that purpose, shall immediately repair to Rennes.

3. The minister of war is charged with the execution of the present arret, which shall be inserted in the Bulletin des Lois.

(Signed) REVEILLIERE LEPAUX, President.
LAGARDE, Sec. Gen.

Substance

Substance of the Speech of Citizen Monge on presenting the Treaty of Peace between the Emperor and the French Republic to the Directory, on the 10th Brumaire (31st October).

YOU have not yet arrived, Citizens Directors, at the conclusion of your labours. A new career, perhaps still more glorious, opens to your view.

The liberty of Greece was unable to resist the treasures of the king of a petty nation, scarcely emerged from her baseness. The means of corruption possessed by the tyrants of India are much more extensive than those of the King of Macedon. For a much longer period has the government of England successfully employed that instrument which has so much disgraced it; and whatever be our virtues, it would be presumptuous to believe that we are less corruptible than the citizens of Sparta or Athens. *The English government and the French republic cannot therefore exist together!*

You have spoken, and already our terrible brigades begin to brandish their victorious swords, and Scipio is at their head.

Did I possess in my country that authority with which his signal patriotic services and brilliant virtues invested Cato at Rome, I should, notwithstanding, say to the first magistrates of the republic—

“ Destroy a government which has corrupted the morals of the whole world; but preserve a people to whom Europe is indebted for a great part of its knowledge.

“ Do not oppress a people who have given Newton to the world—a people respectable for their perhaps unparalleled patriotism, and worthy of a better government. Elevate the government to the dignity of the people: perfect that liberty which they idolize, and restore them to the free exercise of their natural virtues. Let the English nation continue to exist with glory—Let it be the rival of the French nation; but let the emulation of the two countries be to contribute to the progress of knowledge, and to the perfection of the human mind; and may there be no other rivalry between us than for the happiness of the world!”

Speech of Citizen Reveilliere Lepaux, President of the Directory, to Citizens Berthier and Monge.

GLORIOUS for the republic are those days whereon the cry of victory incessantly resounds in this hall. Delightful is that moment when the voice of peace is heard, particularly when it is succeeded by consequences equally beneficial and brilliant. What a concatenation of marvellous events have occurred since the period when reason first called us to declare our independence, until the moment when peace is about to fix its seal to the revolution!

Powerful

Powerful genius of liberty, it is thou alone who canst bring to light such unheard-of events, such heroic deeds, and such extraordinary heroes. Thou alone canst create, as by enchantment, so many philosophers, orators, legislators, statesmen, warriors, men of universal genius, triumphant armies, an army of Italy, a Buonaparte!—Happy France, forget past woes which no longer exist, in order to occupy thyself with the future prospect of happiness and glory that awaits thee! enjoy the fruit of thy conquests. Thou mayest contemplate them with a legitimate pride. The effect of those conquests will not only be that of preserving liberty to all who are free, but will also call vast regions and numerous populations to liberty; and that liberty will not be sullied by the bloody hand of faction. Its birth will be assured by the reign of the laws, by wise and vigorous institutions. In the mean time, France, before thou abandonest thyself to repose, turn thy attention towards England. There exists there certainly a nation famed for its generous disposition, but its government is odious. After usurping the empire of the seas, it has covered the globe with its crimes. In Asia the thirst of gold has rendered its power more terrible than death itself. In Europe and America it has every where spread venality. It has disseminated corruption in torrents, and it overawes, with a haughtiness the most insulting, those governments which it has corrupted and degraded. In fine, it has been the artisan of our civil discords. Unable to destroy our liberty by the coalition, of which it was the author, it has contaminated it by horrible proscriptions. It has given birth to La Vendée. It is against that spot, republican soldiers, that your last blows are to be directed. But on this happy day let us think only of the repose which France is about to give to the continent of Europe. Let us solely abandon ourselves to sentiments of joy and gratitude. Brave defenders of your country; and ye youthful heroes, who burn to show yourselves equally worthy in martial deeds, politics, and philosophy, enjoy with delight the gratitude of the nation. I am tenacious of lessening the number and greatness of your services, by seeming to retrace them. It is history to whom this glorious task belongs.—It is to the graver, the painter, the sculptor, the architect, to raise monuments consecrated to memory. To poetry it belongs to celebrate them by immortal songs. In fine, these are the people to whom you have given liberty—the republics you have founded; the masterpieces of art with which you have ornamented your country; the animals, the useful plants, the inventions of every description with which you have enriched it; the precious collections of the productions of nature and art which furnish abundant subjects of meditation to our philosophers, and fresh models to our artists; these are, in a word, all the fruits of your victories, which will transmit to posterity the remembrance of what you

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have

have been, and what you have done. You, General Bérthier, and you, Citizen Monge, will receive in particular the testimonies of esteem which are due to you. I felicitate myself infinitely upon being the organ of them. The choice which the hero of Italy has made of the two persons charged to announce peace to us, is a trait characteristic of him. The one is in fact one of those generals who, by their talents, their activity, and their courage, have allied themselves to all his triumphs; the other is a member of that learned committee which, in the eyes of all Italy, made the French republic respected by the virtues of those who compose it, and their ardent and animated love of liberty, as well as by the vast extent of their knowledge and the purity of their taste. Happy alliance of strength and wisdom, mayst thou, for the happiness of France, never be destroyed! It is thou who assurest to nations the two most desirable benefits—liberty and peace. Receive, citizens, in the name of all those who have ably served the republic, no matter in what capacity, our fraternal embraces; they are the assured presages of that union which should ever reign among all Frenchmen. *Vive la paix! Vive la republique!*

Report by Rastee, Deputy from the Department of the Upper Rhine, on the Treaty of Peace between the Emperor of Germany and the French Republic.

Citizens Representatives,

SIX years have passed away, during which the most undaunted minds could not avoid feeling some anxiety at seeing all Europe rise in a mass against France, while she was distracted by powerful parties, and more terribly agitated than the waves that dash against her coast. For six years France was armed, without auxiliaries, and without a government; but she still possessed a fertile soil, the courage of the men who inhabit it, and that creative genius which alone knew how to call forth, even in a state of financial distress, those means and that energy which were capable of resisting the league of kings. Our enemies believed that liberty would annihilate our resources, and it increased them a hundred fold. The republic, all in arms, rushed forth into the invaded plains of Champagne; while the monarchy, dismayed by the project of the enemy, would have abjectly invoked the clemency of the conqueror. Political order has succeeded to the revolution which our ancient institutions experienced. A new world presents itself, and is exposed to the view of our contemporaries: astonished to behold us now the arbiters of the universe, and the regulators of the destinies of Europe, the efforts of thought follow slowly the events of our revolution,

while admiration of the prodigies performed by our heroes excited, in all enlightened minds, only one wish, that of being free and republican. The bold inhabitants of the mountains of Switzerland, the industrious Batavians, and the obstinate Americans, broke the yokes which were imposed upon them. More fortunate, we have spread the blessings of independence over the nations which surround us. After six years of war, which seemed to presage that glorious fall which a people prepare for themselves who prefer dispersion and death to shame and servitude, we have not bargained with our enemies, we have not treated for our disputed independence, nor sacrificed our dignity to our preservation; but, in extending the bounds of our territory, and enlarging the limits of a nation which we have created, we display in our treaties the generosity of a powerful and magnanimous ally, and the pretensions of a state which possesses acknowledged and venerated rights. The French republic does not, in her negotiations, assume the tone or the attitude of a state which has just appeared on the theatre of the world; it exhibits at once the maturity of age and the vigour of youth; it resembles those celestial bodies, which, though only discovered yesterday, claim an antiquity equal to the planets, which man has, from time immemorial, been accustomed to behold in the firmament. Let us commence by investigating the general consequences which must result from this treaty of peace with the Emperor, before we proceed to examine in detail its particular advantages. Permit me, citizens colleagues, to bring to your recollection the last remarkable event in the annals of the world, and which still has a subsidiary influence in regulating the affairs of Europe. You will have foreseen that I allude to the famous treaty of Westphalia. Religion, lending its illusions and its fanaticism to the people of Germany, afforded to the priests and the princes the means of ambition. The multitude, intoxicated by the filtres which the church and the throne prepared for them, became the easy instruments of both; a long and cruel war, the pretext of which excited the prejudices of the people, and favoured the views of those who deceived them, extinguished itself in the blood of man, changed the centre of political gravity, and the balance of the power of Europe. The interests of princes assumed a religious aspect; the Protestant interest and the Catholic interest became diplomatic expressions, which a change of territorial limits rendered distinct; and real humanity had then no prospect of success. The yoke remained fixed on the bended head of man. Fanaticism, in losing its power, left to its companion Ambition all the splendour of pre-eminence. Religion returned to the obscurity of the cloisters, and the interests of princes were displayed alone on the throne. France was engaged in the war which preceded this treaty; she acquired the
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sovereignty of Metz, Toul, Verdun, and the two Alsaces. Such were the fruits of a war of thirty years. If we compare these indemnifications with those we have already obtained, and those which are now offered to us; and, in making this comparison, estimate the time which has elapsed during the war of freedom, you will be convinced, citizens colleagues, that under the ancient regimen we should have had to continue the war for two ages, to procure what the campaigns of liberty have conquered in six years. But we ought not to lose sight of the object which I have proposed to submit to your consideration. The result of this thirty years war was another combination of powers, struggling unceasingly to obtain an equilibrium which continually fled from the grasp of the ambitious potentates of Europe. After the peace all things remained in that situation, so distressing for humanity, in which they stood before the commencement of the war. Pretensions which had changed into new hands, and which were brought forward under new names, were not the less haughty. The Protestant party, as well as the Catholic party, was desirous of making conquests; blood was still destined to flow for the aggrandizement of some families; and if an accident altered the topography of a state, the monarch changed with it his denomination and his party. The peace which succeeds to the exploits of our armies—that general pacification which Europe is at last about to enjoy, will imprint upon its population two distinct and ineffaceable characters:—the republican interest on the one hand, and the monarchical interest on the other; spring at once from the terrible shock which this quarter of the globe has experienced. Each has two objects—its preservation and its preponderance. In watching anxiously over the maintenance of their power, and the duration of their existence, both must feel the imminent danger of neighbourhood and rivalry. The men whom these interests divide are linked to them by the same strong affection that urges the individual to the preservation of his life. Thus, before either republics or monarchies can think of their aggrandizement, they must have nothing to fear for their independence. Our revolution is extended over both hemispheres; it submits cabinets to new combinations; and kings, who for some time must be occupied with the care of defending their thrones, will undertake with less levity wars; the termination of which must necessarily shorten the period of their political existence. We may live in good neighbourhood with kings, but we can expect fidelity in our political connexions only from nations which are free. The peace of the 6th year must, therefore, have a most powerful influence on the destiny of Europe; it totally subverts its ancient policy, and changes the nature of all its former relations. Let us now examine what addition the treaty with the Emperor-King makes to our territorial, military,

and commercial resources. In the first place, we unite, by positive agreement, to our ancient territory, the Austrian Low Countries, with all their dependencies. The extent, the fertility, and population of this concession, are too well known to require my expatiating on the importance of that addition of territory, force, and commercial productions. Our line of defence on the side of the German empire is reduced to one half; and a triple row of fortified places, without mentioning their natural defence, would add to our security, if the courage of our fellow-citizens were not superior to the advantages of art and of nature. This line of defence, reduced, as I have just said, to one half its former extent, is flanked at the one extremity by the Swiss, our constant and pacific allies; and on the other by the Batavian republic, which the interest of its inhabitants attaches to our political existence. We shall acquire citizens whom nature has attached to every species of industry by the attraction of profit, the near prospect of which would put the most indolent in motion, and which are now become still more attractive by the free navigation of the Scheldt. The port of Ostend extends the line of countervallation that the perfidy of the English government forces us to trace opposite to its territory. In Italy, the chain of islands which border the coasts of Lower Albania, of the Livadia and the Morea, offer to our navy nurseries of seamen, and to our manufactures a market and articles of exchange. These precious colonies promise to us the free navigation of the Mediterranean and the Adriatic sea, the entrance to which we already possess. They assure to us the Levant trade, and will act, in respect to our commerce in general, as an exact *balance-maker*, who will establish the equilibrium of competition that English cupidity has destroyed. But when I present to you the picture of our new acquisitions on the coasts of that Greece, to which the immortal names of those heroes for whom she was indebted to the Genius of Liberty even at this day give lustre, it is necessary that I should show you the map of that new republic which its fate has attached to that of the French republic, and the state of the Emperor's new possessions on the borders of the Gulf of Venice. The Cisalpine republic comprehends what was formerly called Austrian Lombardy, the territories of Bergamo and Cremona, the town and fortress of Mantua, with its territory, Peschiara, part of the *ci-devant* Venetian states, the territory of Modena, the principality of Massa and Carrara, and the three legations of Bologna, of Ferrara, and Romagna. The line of demarkation which separates this republic from the Emperor's dominions, appears to have been traced in the front of the camp of an army preparing to march against the enemy. The frontier of the Cisalpines is a true *parallel*. On the side of the Adriatic sea, nearly thirty leagues of

of coast furnish the navy of this new state with such means of defence as will be sufficient for this ally of France, against the only enemy by which it can be attacked. If we consider, in a geometrical point of view, the new possessions of the Emperor, we might perhaps be led to imagine, that, after an uninterrupted series of defeats, this monarch has reason to be satisfied; but, citizens colleagues, an extent of territory, without cultivation, without inhabitants, or at least very thinly peopled, and without manufactures, ought not to be put in comparison with even a far inferior surface, where fertility of soil, population, industry, and military strength, are found united. The acquisition of population, in a moral and political point of view, equally engages our attention. If the Emperor be in possession of the inhabitants of Istria and Dalmatia; if he can drag them trembling to battle; the French republic, more happy, can oppose to him republicans who were formerly his subjects. The geographical position of the Cisalpine republic, and its invariable interests, leave it no choice as to its allies and its enemies. It appeared, then, necessary to give the Emperor a few soldiers, when we placed on his frontiers a brave and restless rival. The naval establishment of the house of Austria in the Gulf of Venice ought not to alarm the friends of our commerce; for if these maritime possessions enable the court of Vienna to elevate itself to the rank of those powers who divide the empire of the seas, it will soon become the enemy of those who revolt all by the most insolent ambition. But ought we to dread her as a rival? Facts reply to the question. England, producing less raw materials, with an inferior number of hands, paying higher wages than workmen receive in France, has acquired a superiority over us which liberty alone can destroy. If England, with all her disadvantages, surpassed us when we wore the yoke, shall we fear, now we are free, the rivalry of the subjects of kings? Commerce cannot flourish without liberty. Human industry always droops under the head of despotism. Our imaginary rivals, still without colonies, weighed down by the existence of the fiscal government of a master, can never, then, enter into a struggle with us. Perfectly at ease with respect to any injury to be received by the progress of Austrian industry, and the rapid and menacing creation of a military marine, we conceive that the compensations accorded to the Emperor and King cannot in any degree affect, I will not say the tranquillity of the French republic and its allies, but the unfolding of those resources, of that force, and of that industry, to which the Genius of Liberty will give birth. Citizens colleagues, we have presented to you the principal provisions of the treaty which is submitted to your approbation. You will be of opinion, no doubt, with your committee, that independently of the circumstances and of the wishes of our constituents,

tuents, the republic ought to be satisfied. Interest, dignity, character, all are solemnly consecrated in this treaty—immense possessions joined to our territories—conquests over which humanity rejoices. The magnanimity which characterizes the French people shows itself in the limits which have been marked out for the Cisalpine republic, in the declaration required from the Emperor that he acknowledges the Batavian republic, and in the compensations which it was determined he should make to the Duke of Modena. We shall not proceed to the particular examination of each article, because, in stating to you the principal objects of the treaty, we have combined and analysed those parts which are intimately connected, and which cannot be separately discussed. With respect to such articles as are detached from the whole, we conceived that we ought likewise to avoid the fatigue of giving them in detail. Those, indeed, which are really separate, are, for the most part, mere forms of ceremony, which you may have remarked in the preceding treaties submitted to your approbation, and which the cabinets of Europe hold in veneration. In respect to those articles which may appear insulated in the treaty, though connected with the secret conditions; as we are ignorant of their precise relation to those conditions; we thought it would be wholly useless to enter into long and difficult speculations which might probably lead us astray, and which, at best, could furnish us with only hypothetical conjectures. The Directory have already given too many proofs of their solicitude for every thing that can be dear to us as representatives and as citizens, to withhold from them that confidence which the success of their negotiations requires they should enjoy. The Directory, so scandalously accused of being averse to peace, have now shown to France and the whole world whether they, or their calumniators, have prolonged the horrors of war. We will confess, citizens colleagues, that, on the first view, one of the articles of the treaty had alarmed your committee. It is Article IX. by which it is stipulated, that the sequestration put upon the effects of the inhabitants and proprietors of the ceded countries, on account of the war which is now about to terminate, will be entirely taken off. But, after maturely weighing and deliberating upon these dispositions, which are common to all the treaties of peace which you have approved, your committee are convinced that they can have no relation to the emigrants. In reality, an emigrant being civilly dead, and his effects being not merely sequestered, but by the sole act of his emigration confiscated and escheated to the republic, he cannot be included in the number either of inhabitants or proprietors. Besides, that article mentions only the individuals whose effects have been sequestered on account of the war. This reason, which must have principally applied only to foreigners possessed of property in the ceded territories,

tones, is not the same with that which influenced the confiscation of the effects of the emigrants. Thus, under any point of view, the benefit of this disposition cannot be applied to those parricides, with respect to whom France has converted into an irrevocable proscription that temporary banishment to which they were cowardly and traitorously devoted. This article must be considered as the less liable to the interpretation which for a moment gave some uneasiness to your committee, that no positive expression in it clashes in the smallest degree with the letter of the constitution. This disposition, therefore, must be considered solely as an amnesty granted to the inhabitants of the conquered countries, for their errors of opinion; it has not, and cannot have, any other object. What still further justifies the opinion of your committee, is the 19th Article, which is more amply explained. It is there said, that the unalienated property, moveable and immovable, of their royal highnesses the Archduke Charles and the Archduchess Christina, in the countries ceded to the French republic; that the property of the Archduke Ferdinand, contained in the territory of the Cisalpine republic, will be restored to these princes, under the condition of selling them within three years. There cannot, therefore, remain the smallest doubt in regard to the real meaning of these stipulations. This explanation will, doubtless, be sufficient to remove every objection to a treaty which is on the whole advantageous and honourable to the French people. Now, not only does Europe no longer contest its own sovereignty, but it also recognises that of the people to whom the French nation has imparted that boon. Thus the French people have, at once, asserted their own liberty, and created that of others. Citizens colleagues, the number of our enemies, formerly so considerable, is now reduced to two—Portugal and England. The first, in refusing to ratify the treaty which we had granted it, has rather yielded to the dread of military execution threatened by England, than to any sentiment of personal hatred, or that of vain resistance. The Queen of Portugal well knows that it is beyond her power to alter the destinies of the French republic, or to retard their course. In respect to England, we know which of the two, France or England, has most reason to dread the continuation of hostilities. That oppressive ministry who retain her people in the chains of insupportable servitude, and in the horrors of a distress which is the forerunner of bankruptcy, shall soon see the free colours of the French nation floating on her Downs. Buonaparte, who has brilliantly supported in Italy the characters of general and negotiator, is expected by the army of England. At that name, representatives of the people! your hearts have often expanded with hope, and as often beat with gratitude. I do not imagine that the cabinet of St. James's will expose itself to the invasion

which

which menaces its territory. The valour of our soldiers, the talents of our generals, and the great number of the discontented, who would lay open to us the road to London, will bring back the British minister to a system more adapted to the nature of existing circumstances. But whatever be the epoch of a general peace, let us hasten to prove, by the ratification of the treaty with the Emperor, that we lay down with pleasure those arms which we were compelled to take up.

Speech of the Minister of Marine to Mr. Swinburne, the Commissary for English Prisoners at Paris, on his Audience of Leave.

Sir,

I AM as sensibly affected as my colleagues, at not being able to terminate with you an operation that you have so well begun, and which has acquired for you claims to the esteem of the true friends of humanity. You have proved by your conduct and your proceedings, that the war which divides two nations, made to esteem each other, cannot diminish in your mind the necessity of cherishing men, and of assisting the unhappy. Accept my thanks: I entreat you to accept them, both as citizen and as minister. I sincerely hope, that upon your return to London, you will triumph over your enemies, and that your government will give you their confidence. It is for the cause of humanity that I form this wish. Sir, you carry with you our regret: and if the esteem of men, whose principles you have been able to appreciate, can be any indemnity to you, you may rely upon mine and that of my colleagues, whose organ I am pleased with being.

Frederick William the Third, by the Grace of God, King of Prussia, Margrave of Brandenburg, Antichamberlain, and Prince Elector of the Holy Roman Empire, &c. to the French Republic, and in her Name to the Citizens who compose the Executive Directory.

Great and dear Friends,

PROVIDENCE having disposed of the days of the King, my father, who departed this life the 16th of this month, and having called me to the throne of my ancestors, I hasten to announce to you this double event; persuaded that you will take part in the loss I have sustained, and that you will interest yourselves in my advancement to the rule over the Prussian states. I shall take the greatest care to cultivate and cement the harmony which I find so happily established between the two nations; and
upon

upon this I pray God to keep you, great and dear friends, in his holy care.

Your good friend,

FREDERICK WILLIAM.

Berlin, 17th Nov. 1797.

GEORGE R.

Additional Instructions to the Commanders of all our Ships of War and Privateers that have or may have Letters of Marque against France, Spain, or the Subjects of the United Provinces, inhabiting within any of their Countries, Territories, and Dominions. Given at our Court at St. James's, the 20th Day of November 1797, in the thirty-eighth Year of our Reign.

WHEREAS we have thought it expedient that permission should be given to vessels belonging to the subjects of his Catholic Majesty, having not more than one deck, to trade between the free ports established in the island of Jamaica, and also in the Bahama islands, and the Spanish colonies in America, according to the regulations of the several acts for establishing free ports in our West India islands, notwithstanding the present hostilities: And whereas we have thought it expedient, that notwithstanding the said hostilities, permission should likewise be given to any British vessels navigated according to the laws now in force, to trade between the said free ports in the island of Jamaica and in the said Bahama islands, and the Spanish colonies in America, provided such British and Spanish vessels as shall trade between the said free ports in the island of Jamaica and the said Spanish colonies, shall have a licence from the governor or commander in chief of our island of Jamaica; and that such British and Spanish vessels as shall trade between the free ports in the Bahama islands and the said Spanish colonies, shall have a licence from the governor or commander in chief of the Bahama islands; and provided such British and Spanish vessels shall import into the free ports of Jamaica and the Bahama islands, such goods only as are hereafter enumerated, viz. wool, cotton wool, indigo, cochineal, drugs of all sorts, cocoa, tobacco, logwood, fustick, and all sorts of wood for dyer's use; hides, skins, and tallow, beaver and all sorts of furs, tortoise-shells, hard wood, or mill timber; mahogany and all other woods for cabinet ware; horses, asses, mules, and cattle, being the growth and production of any of the colonies or plantations in America belonging to the crown of Spain; and all coin or bullion, diamonds, or precious stones, coming from thence; and provided such British and Spanish vessels shall export from such free ports, only the said goods and commodities; and also rum, the produce of any

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British island, and negroes, which shall have been legally imported, and also all goods, wares, merchandises, and manufactures, which shall have been legally imported, except masts, yards, or bowsprits, pitch, tar, turpentine, and all other naval or military stores, and tobacco: The commanders of our ships of war, and of ships commissioned with letters of marque, are hereby required and enjoined not to detain or molest any such Spanish vessels or any British vessels trading between the free ports in the said islands and the Spanish colonies in America, provided they are *bona fide* employed in carrying on their trade conformably to the respective regulations herein above described, and have a licence for that purpose from the governor or commander in chief of the said islands respectively; and in case such ship so licensed should be captured and brought into any port, through misapprehension or breach of our order, our courts of admiralty and vice-admiralty are hereby required to liberate the same, as being under the protection of our special commission.

By his Majesty's command.

(Signed)

PORTLAND.

Proclamation of the Executive Directory to the French People, dated the 1st Frimaire (21 Nov.).

THE interests of the republic call you to a last triumph. After the innumerable battles from which you have returned victorious, it yet remains for you to reduce the first, the most obstinate and cunning of all your enemies.

The Executive Directory is desirous of a general peace; it wishes for it, for your sake, and for the sake of Europe. But during a year and more a faithless enemy has led astray all the cabinets of Europe by vain projects, propoling peace in a loud voice, secretly fomenting war, affecting to extinguish with one hand the torch which it lights with the other; sending with parade pacificators, and repelling in effect all overtures which alone could tend to pacification. This enemy you know: your indignation can devise and name it. It is the cabinet of St. James's. It is the most corrupting, and the most corrupted, of the governments of Europe: it is the English government.

It is not alone against the liberty of France that that government directs her conspiracy; her conspiracy is against the whole world. Ah! too long has that perfidious cabinet troubled, subjected, desolated all parts of the world. Speak, Americans! say who are directly or indirectly your true rulers. Unfortunate Indians! say by what detestable art has that government established her tyranny among you? And you, Europeans, more unfortunate still, innocent inhabitants of the plains of Franco-

nia,

nia, and of the Noric Alps, innumerable victims of the flames of war! say who has been the most ardent instigator of this destructive contest, in which have been sacrificed more than a million of men, in which treasures immense have been dissipated, which even at this time of peace leaves to the eye, on the fields of victory, the view only of general misery, universal melancholy, and extensive despair. It is in these circumstances that the cabinet of St. James's avows to afflicted Europe that it alone has felt nothing of these frightful disasters. Listen to the speech delivered from the throne; "Our revenues," says the King, "have continued highly productive, our national industry has been extended, and our commerce has surpassed its former limits."

If the King of England has told the truth, powers of Europe, to you is not this a terrible lesson? What then, is that government interested in your disorders, which alone collects the fruits of them, which is nourished by your calamities, prospers by your distresses, accumulates in its treasures the tears and the blood of the people, and fattens upon their plunder?

It is evident that that cabinet should wish for war, since by war it is enriched. It is however that government which in its new manifestoes, and in similar speeches, dares to accuse France of insatiable avarice! It is not said, that the English, first devastators of St. Domingo, have taken the colonies of Holland without striking a blow, have taken them from Holland their ally; and the King of England speaks to Europe of the ambition of France!

But the principles of the French towards other nations are at this time too manifest to be obscured by vague allegations. If the French republic takes the limits she has received from nature, if she repairs in this respect the faults of the monarchy, she disdains conquests foreign to that great object; she neither oppresses secondary states nor weak powers; she never thinks of despoiling her allies; she is faithful to her friends; she punishes her enemies, but without hating them: naturally generous, she does not even hate the English nation. Never in France shall any minister be admired on account of his hatred of the English people; but every one in France is agreed in one point, in remembering what passed at Toulon, at Dunkirk, at Quiberon, at La Vendée; they detest, they execrate the cruelty, the perfidy, the sanguinary machiavelism of the British minister; and they at the same time deplore the unaccountable blindness of the English in suffering themselves to be made the horror of the world.

The great nation will avenge the universe; and to ensure success, more than one means, Frenchmen, present themselves to you: the most important, and the most speedy is, a descent on England. Unexpected success has taught you to disregard all ob-

stacles. In such enterprises, the name alone of the armies promises a triumph, and the justice of the cause guarantees it. We do not now boast of plans of descent, while we discuss the means. In the situation in which France now is, her will is victory. Thus the army of England proceeds to dictate a peace in London! and there, also, republicans, you will find auxiliaries. There also you will find many men whom reason has not so much abandoned as to render them insensible of the odium due to their government under the English name. There also you will find thousands of generous men who long struggled to obtain a parliamentary reform: there also you will find a multitude of manufacturers who sigh for peace, whom the prolongation of the war has reduced to misery, and who weigh in the balance against their real wants the gaudy deception of royal harangue, the illusions of manifestoes, and the chimera of conquests. There also you will find the Irish nation, so long oppressed, and that bears reluctantly the chains of a court which is supported by its produce, while it drinks its blood and insults its despair.

Proceed under these auspices, brave republicans, to second the national and unanimous wish: conducted by the hero who has so often shown you the way to victory, you will have with you the wishes of all the virtuous and the just who exist in the world. Proceed then, and re-establish the liberty of the seas; confine to its just limits the inordinate ambition of that government which disturbs its own country as it does the universe.

Secure the repose of the French republic and of the universe. Such is the great object which still remains for you to accomplish. Now that the British government, viewing coolly, and with a ferocious smile, the disasters of the continent, boasts of its opulence, make it discharge agreeably to justice its share of the expenses of the war, which it alone wishes to eternize, and which it knows it could terminate by speaking to the French republic in language that could be listened to, and be believed sincere.

Citizens, you will recognise your own sentiments in the exposition of those of the Executive Directory. The same spirit animates your faithful representatives. In vain the cabinet of London exhausts all its efforts to sow among them distrust and discord. The 18th of Fructidor has destroyed their influence, and since that day the members of the Councils and the Directory present the pleasing spectacle of the most intimate union. All patriots have only the same interests. There is in the republic but one opinion and one wish, and war to the cabinet of St. James's is the cry of France.

How much glory is promised to the army of England! It is sufficient to point it out to it. To inflame our warriors with invincible enthusiasm, it is only necessary to remind them of what they have already done. The walls of the strongest fortresses
have

have been levelled before them; the greatest generals have not been able to resist them. They have taken prisoners Bender at Luxembourg, and Wurmsfer at Mantua. They made the three-coloured standard wave on the banks of the Rhine, and on the shores of the Ægean sea. After so many victories, what words can add any thing to the ardour of French soldiers? It is sufficient for them to hear the voice of the country, and to remember their own exploits.

The Executive Directory resolve that this proclamation shall be printed, posted up, and solemnly read in all the communes of the republic, and to all the divisions of the armies, whether by sea or by land. It shall be inserted in the bulletin of the laws. The ministers of the Interior, of war, and of the marine and the colonies, shall render an account to the Executive Directory of its publication.

L. M. REVEILLIERE LEPAUX, President.
LAGARDE, Secretary General.

Proclamation of Citizen Rudler.

CITIZEN Rudler, commissioner of the French government in the conquered countries between the Meuse and the Rhine, and the Rhine and the Moselle, to the inhabitants of the conquered countries: The French republic fights and subdues her enemies, but she does not make an unworthy use of her victories. The princes, coalesced against her liberty and constitution, have been presumptuous enough to conceive hopes of subjugating her. She took up arms, subdued them, and now contents herself in securing her tranquillity by bounding her territory within those limits which have been traced by nature. She only wishes to make the people she has conquered forget the calamities inseparable from war, and indulge them gradually in a participation of all those rights which her own children enjoy. Such are the beneficent wishes of France with respect to you, inhabitants of those countries surrounded by the waters of the Rhine, the Meuse, and the Moselle; and such is the will of its government. The cessation of hostilities affords it an opportunity of ameliorating your lot: and it charges me, in its tender anxiety for your welfare, to make you participate in the protection of those laws which govern the French, and which are to secure your happiness. My heart tenderly sympathizes in this honourable mission; and if I can form any judgment from the mildness of your manners, and the love of liberty, for which you are distinguished, the success of my exertions will be speedy and satisfactory.—A territorial division, favourable to the subject, and indispensable in itself, will be my first operation.—The administrative and judiciary code established

established in the next place among you, will give birth to a harmony which would otherwise be incompatible with the variety of your senates, councils, regencies, and your innumerable jurisdictions. Every thing appertaining to slavery is suppressed, and the effects of this suppression will be directed by successive and particular regulations. Thus you will enjoy, under this new system, all the dignity of your existence. You will be accountable to God alone for your religious opinions, and your civil rights will be independent of them. Whatever they may be, they will be indiscriminately tolerated, equally protected, and he alone will be deemed guilty who shall pervert them for the purpose of destroying the general harmony, and troubling the peace of society. The sixth year will be memorable for these countries, which have been freed from the oppressive weight of all those privileges invented by the pride of those who called themselves your lords and masters. You will also be rescued, from the day on which it began, from those tithes which swallowed up a great part of the fruit of your labours, and from those rights which the usurping spirit of the feudal system had created. They are proscribed, and shall no longer be exacted from you. A paternal administration, with powers distinct from those of courts of judicature, will extend its benign influence to you. Justices of peace will afford you the benefit of conciliatory measures, before you may be compelled to enter into the litigations of courts of law. The law, inflexible in its operation, will never molest the innocent. The present circumstances prevent me from electing your administrators and judges, but be assured that I shall make choice of the most upright and the most enlightened among you. I will associate with them, Frenchmen, who, being their elders in the family of freemen, will prove to them safe and necessary guides. Should any persons I may choose, prove unfit for their offices, I shall be ever ready to attend to complaints against them; but I shall repel with indignation every species of calumny, and every denunciation which may be directed to the degradation of the constituted authorities. You may perceive, citizens, by this slight sketch, the great advantages which you are to derive from your new organization, for effecting which, I labour with all the zeal with which my duty, your wants, and your happy inclinations inspire me. Shut your ears against the enemies of your prosperity, who would seek to sow the seeds of division among you. Receive and follow with one common sentiment the regulations which I am commissioned to establish among you, and the dawn of your happiness will shine with resplendent brilliancy.

*Bonn, December 11, in the sixth Year
of the French Republic.*

RUDLER.

Buonaparte

*Buonaparte to the President of the Executive Directory.**Paris, 3 Nivose (23 Dec.), 1797.*

I HAVE the honour to send you, Citizen President, the copy of a letter which I have received from the Dey of Tunis, with the names of eighteen Frenchmen whom he has set at liberty.

While I was in Italy, I took every opportunity of testifying to our good friends the Turks, marks of the friendship which the French republic entertains for them.

The provisional government of the Ligurian republic has given liberty to all the Turkish slaves, which were employed in the Genoese galleys, and sent them to their country.

Since we have been in possession of the different islands of the Ionian sea, we have received on the part of the Ali, the Pacha of Janina, the Pacha of Scutaria, the Turks of the Morea, and even on the part of the Divan, not only a kind welcome, but they have, upon every occasion, taken a pleasure in showing to us the particular esteem which they have for Frenchmen.

Our ambassador, Aubert-Dubayet, had no sooner informed the Sublime Porte that our troops were at Corfou, Zante, Cephallonia, &c. than that government sent large cargoes of corn for their support.

Our Levant trade will now find a secure protection from the new possessions which we have acquired, and our merchants will hereafter be received by the subjects of the Ottoman Porte with a peculiar predilection.

(Signed)

BUONAPARTE.

Hamuda, Pacha, Dey, Prince of Princes, and Lord of the well-guarded Town of Tunis, to General Buonaparte, the mighty Warrior of the French Republic, Health, and Length of Days!

WITH the voice of friendship I inform you, that the eight Muffulmans who were on board a prize belonging to our *odgiak* (regency), which contrary winds drove on the coast of Leghorn, where they were made slaves, and who were sent to us by your order, have arrived safe, and filled our breasts with the most lively joy. If such an accident should occur again, I have no doubt that your benevolent attention will be exercised in the same manner, for which I shall always entertain the warmest gratitude.

Your consul who resides here has also informed me, that the agent of the French republic at Leghorn has received orders to provide for the subsistence of eighteen slaves, and to send them to us.

To

To return you thanks, and to inform you of these matters, I have written this letter, in the middle of the moon of Rebiniltani.

(Signed)

HAMUDA,
Pacha, Dey, Prince of Princes, and Lord
of the well-guarded town of Tunis.

[The Dey added to this letter a list of eighteen Frenchmen, who had been taken by Tunisian cruisers in foreign vessels without passports, and made slaves of. He gave them their liberty, and sent them to France.]

*Proceedings at the Sitting of the Executive Directory on the 1st Nivose
(Dec. 21), 1797.*

THE minister of the interior informed the Directory, that a deputation of the merchants of Paris solicited the honour of being admitted to an audience, and asked leave to make some patriotic propositions relative to the means of procuring the necessary funds for a descent on England, and to assure the vengeance of France against the tyrannic government of that island.

The president ordered the minister to introduce the deputation.

The Directory, accompanied by the secretary general and the ministers, and preceded by the sergeants at arms and messengers of state, proceeded into the hall of public audience.

The deputation was introduced by the minister of the interior. It consisted of citizens Lecouteulx, Fulchiron senior, Fulchiron junior, Jubie, Enfantin, Saillard, Recamier, Hupais, Marnet, Doyen, Decretot, Charlemagne, Desprez, and Barillon.

The deputation was presented by the minister of finances, who stated the object of the mission in the following terms:

“Citizens Directors—After having secured the repose of the continent, you have considered, since it belongs to the destiny of the republic to make peace with her enemies only at the gates of their capitals, that you ought to send to England those invincible columns which have confined victory to their standards, and that general who is as distinguished by his profound knowledge of the general policy of nations as by his military talents.

“The merchants of Paris see, in this determination, a favourable prospect of the liberty of the seas, and the restoration of commerce. They are convinced that the moment is come to prove to an enemy, who always gives way when closely pressed, that the French are at last prepared to terminate a war which is only prolonged because a handful of pirates have the barbarity to calculate upon its events as speculations, as chances favourable to their interests.

“The merchants of Paris have become the organ of the public opinion. Each citizen wishes to give a proof of the confidence he places

places in the success of your measures; they intend to propose to you to invite the legislative body to open a loan, the shares of which shall be mortgaged upon our victories.

"The Romans sold the ground on which Hannibal was encamped: but history has not informed us if this celebrated people ever declared to their obstinate enemies that the war should be carried on at their expense. This trait shall be added to our annals. The loan proposed to be borrowed shall be called *the loan upon England*. It will soon be completed. The Great Nation speedily executes whatever it plans.

"The deputies of the merchants request an opportunity of stating their views upon this subject. I beg that the Executive Directory will listen to them."

Citizen Fulchiron, the elder, spoke thus, in the name of the deputation:

"Citizens Directors—At the moment in which the French nation prepares to attack, with all her strength, her eternal and implacable enemy—at the moment in which our invincible legions are about to cross the almost insurmountable barrier which nature has placed between us and the haughty tyrants of the sea, all who possess hearts truly French and republican are seized with that profound and irresistible enthusiasm which is usually the forerunner of important events and brilliant successes.

"The merchants of this great city, and those of all France, cannot dissemble, that it is particularly their cause which the conquerors of Italy and of the Rhine prepare to support and to avenge. All the merchants of the continent of Europe ought to unite in arming against this perfidious government.

"But the French merchants do not want a particular and personal motive to make them partake in the sacred sentiment which at this moment animates all republican souls.

"We have seen the three-coloured standard planted on the banks of the Texel, and waving on the islands of the *Ægean* sea. On the continent we see no longer any but republican friends, or monarchs who are compelled to supplicate our alliance. Shall, then, the ocean, the common mother of the riches of the universe, which ought to carry our glory, our arts, and our industry into every part of the globe, be interdicted to us? Shall the ocean be enslaved by a handful of proud islanders?

"Great and intrepid conquerors of Lodi, of Rivoli, of Tagliamento, of Fleurus, of Kehl, and of Neuwied!—you whose path is marked by triumphs, and by the emancipation of nations!—you cannot endure this horrible idea! We see you press in crowds to the shores of the ocean, offering your services to your country—We see you hastening, from the banks of the Rhine and the summits of the Alps, to restore to the French nation her

maritime power, and to the national commerce its ancient splendour

“ Bearing in our breasts the impatience of a noble vengeance, we ask you, in common with all republicans, why the French nation is not respected on the seas as she is on the continent? Shall our laurels wither even in the midst of our triumphs?

“ But in vain shall England, after having sown in our country, crimes and evils of every kind by the gold of which she despoils the nations subjected to her deceits, shelter herself by her numerous vessels! In vain shall she flatter herself with escaping the just punishment which awaits her! We shall send back to that island the scourges with which its government desolated our provinces; but, more generous and more brave, we will know how to moderate and how to restrain the most legitimate resentment, from the moment in which it shall have expiated its long and pernicious errors.

“ Could the merchants of this great city, of all the republic, remain silent spectators of so great a movement? No, Citizens Directors! All commercial men, all who give life and spirit to our national industry, beseech you to open to them a civic career, by which they may concur in promoting the great and generous enterprise which you have in view.

“ Is French commerce uninterested in the great national armament which is preparing? Are not all the fortunate chances of this expedition in its favour? and is it not certain that they will restore it to its ancient dominion, and to all the prosperity which belongs to the commerce of a great nation? Can, then, the merchants of France balance for a moment between the temporary privation of a barren enjoyment, and the prospect of so much future prosperity?

“ This is the most favourable moment for the emancipation of the seas, for us and for our posterity; and this fortunate crisis has been created by our victories. The commerce of France cannot endure that it should have been wasted in vain. The peace of Europe would have but a precarious existence, the continent would remain humbled before these haughty islanders, if the most powerful efforts, Citizens Directors, did not concur in the execution of your plans.

“ The ardent wishes of all Frenchmen, the undaunted courage of our warriors, are so many pledges of success; but there is one on which we found, as well as you, Citizens Directors, a hope which cannot be disappointed. It is the sublime and almost incredible valour of the young hero, who, during two years of uninterrupted triumphs, has filled the universe with the report of his fame, whose prudence is the admiration of the old, whose generosity is the model of the young, whose wisdom and genius excite the wonder of the philosopher, whose name will henceforth

forth for ever be inseparable from victory, and always recall the idea of every virtue by which glory can be embellished.

"Citizens Directors, the merchants of Paris, of whom we are the organ, anxiously beg of you to send a message to the legislative body, inviting them to open a loan, which may give you the means, as prompt as certain, of effecting a descent upon England, and of transporting thither our hero, those whom he shall conduct, and all their glory. This loan may be mortgaged upon an indirect impost. The public opinion declares itself for a measure of this kind. The duration of this impost ought to be limited to the period of the repayment of the loan, which should be borrowed upon that principle. It would be desirable, also, that the loan should be made in such a manner as to manifest, with new force, a wish to consolidate the arrears of the national debt, and to re-establish, or rather to create anew, the public credit, which must always be attached to the engagements of the republic."

Citizen Barras, the president of the Directory, thus replied to the deputation:

"Citizens—The Executive Directory, witnessing every day the virtues of the French people, is not astonished at the patriotic devotion which has produced the propositions so truly republican as those you have now made to your country; but it applauds with emotion that sentiment of liberty which has at this moment conducted you hither.

"The insolent pride of the English government, which flatters itself with the chimera that there exists no longer any national spirit in France, may mark this day as the epoch of its approaching humiliation. Your conduct predicts what the valour of republican arms will execute; and Europe, attentive to this great event, cannot fail to be struck with that contrast which the people of the two nations present—the one sunk under the fiscal oppression of a tyrannic government—the other, after eight years of revolution, and at the end of an ever memorable war, offering spontaneously to the country their wealth, the tributes of their industry, and thus displaying the extent of their resources. If the armies of France have already proved that the republic is invincible, her merchants now prove that her means are inexhaustible, and that, in this generous struggle, warriors and citizens have alike acquired incontestable claims on the national gratitude.

"It was worthy of you, citizens, to impose silence, by this great act of civism, on those malevolent persons who tax our commercial citizens with indifference, as if the just and legitimate war, which France maintains, had not for one of its principal objects the preservation and the extension of commerce. This frivolous reproach is still one of the crimes of England, and one of the means of her exclusive ambition; but the perfidious designs

of the despots of the ocean are penetrated. They would consent, perhaps, to acknowledge the sovereignty of the French people, if the French people would consent to allow them to exercise their tyranny on the seas. The establishment of the French republic is the continual subject of their wild declamations; but in their powerless rage they tremble at the opening of the Scheldt, and the free navigation of the Rhine: they are enraged to see all the ports of the Mediterranean open to our ships and fleets.

"Citizens, doubt not that all republicans will hasten to second your patriotic efforts. All hearts jealous of the national glory, rejoice at your proposition in every corner of France. Every town whose commerce has been suspended, and whose manufactures have ceased in consequence of the war, will hasten to imitate you. Like you, they are animated by the love of the country. Like you, they have long and cruel injuries to avenge; and in the enthusiasm with which you will inspire them, they will be inflamed with the desire of having it in their power to say, *We also have given a blow to our implacable enemy!*

"Thus we appear to proceed rapidly towards the perfection of republican manners, since they have already produced among us such great examples of devotion, as would have been sufficient to have illustrated the best times of the ancient republics.—But what do I say? We surpass them in magnanimity. Imminent dangers prescribed the efforts of their patriotism; but in the French republic the whole desire of emancipating Europe from a shameful domination is sufficient to inflame your hearts.

"The Executive Directory will hasten, citizens, to transmit your address to the legislative body. Anticipated already by fame, the faithful representatives of the people burn with the noble impatience of welcoming it with the applause which it so justly deserves. They are convinced with the members of the Directory, that the splendour of the republic depends upon the splendour of commerce. Rely, then, upon the invariable protection of the legislators and of the Directory, as well as upon the admiration and the gratitude of France."

Shouts of *Live the republic! Live the liberty of the seas!* resounded from every part of the hall; and the military music played *Ca Ira*.

The president gave the speaker of the deputation the fraternal embrace, amidst universal plaudits, and the most lively demonstrations of public approbation.

The Directory retired some time into the hall of the ministers, and held a private conference with the deputation.

On the return of the Directory, the deliberations recommenced upon the important address of the merchants of Paris; and a message was sent to both Councils, inviting them to take the proposed measure into their immediate consideration.

Message

Message of the Directory to the Council of Five Hundred, on the 1st Nivose (21st Dec.).

Citizens Representatives,

THE armies of the republic, by their conquests, have obtained peace on the continent. One enemy alone remains to be combated—This is the *English government*—They will go and attack it on its own ground. For the arming and equipping of the vessels necessary to transport the republican columns to the plains of Albion, extraordinary funds are necessary. The merchants of Paris have felt, that every Frenchman ought to second the ardour of the defenders of liberty. They see that we are about to combat for the freedom of the seas; for the restoration of our manufactures, for the arts, for industry. That cause is their own. They have sent to the Directory the address subjoined to this message. It requests them to invite you to open a loan, the produce of which secures the execution of the measures adopted to effect a descent upon England. The merchants of Paris, in testifying their wishes on this subject, know that they only anticipate the public opinion. It is not an example which they hold up to those of other towns; they only aspired to the honour of being first heard. Every Frenchman will contribute to the success of the great national armament. Where can we have any fears of finding republicans so indifferent to the brilliant destiny to which the proposed expedition invites us—where can be found hearts so insensible, as not to seize the occasion of seconding the generous ardour of the defenders of the country, and aiding, by a trifling advance, that sacred cause to which their brothers and their children have sacrificed their blood and their repose?

The Executive Directory is of opinion, citizens representatives, that a fund, immediately raised, of forty millions, added to the means that will be procured by the laws made or to be enacted for the completion of the funds of the year six, will be sufficient for the execution of the plan which it has formed. It is for this that the Directory applies to you. The possibility of repaying this sum cannot be doubted by any one. You may so arrange the payment of it as to raise the public credit. The merchants of Paris have pointed out the establishment of an indirect contribution, as the means of effecting its repayment. The principles on which this mode of taxation is adopted, are at present universally admitted. The premiums may be secured on the success of the grand operation which the Directory is now preparing. The *army of England*, like the other armies of the republic, will fulfil its engagements.

(Signed)

P. BARRAS, President.
LAGARDE, Sec. Gen.

Summons

Summons sent by General Hatry to the Commandant of Mentz.

I AM commissioned to inform you, that it is the intention of the French republic to take possession of the city of Mentz with the troops which I command. No armistice therefore can be granted to his Electoral Highness, until the conclusion of the congress at Rastadt, unless he immediately gives orders to the magistrates of Mentz to receive the French troops into their city. Should his Electoral Highness not issue the orders here required before the 31st of Frimaire (December 20), he will be treated as an enemy, and his electorate ravaged by French troops. I request you to communicate to the Elector this determination, and to accept the high consideration with which I have the honour to be

Your humble servant,

HATRY.

TO the above summons the governor replied—"That he could not give up the city without orders from the Elector."

THE French afterwards applied to the Austrian governor Neu; the latter replied—"That the Austrians must withdraw from Mentz before the French entered the city *."

The Minister of external Relations, to all the diplomatic and consular Agents of the French Republic.

Citizens,

YOU are placed in a new situation. Your republican sentiments, and your patriotic exertions, ought to soar into a higher flight.

Of the powers confederated against French liberty, England alone remains to be combated. She is our eternal enemy. A great expedition is preparing against her. The wishes of the nation press the armament. All the persons employed, all the functionaries of the government, ought in this respect to second the views of the Directory. Every part of the French republic at the present moment ought to make war against England.

In this general movement you neither can nor ought to remain inactive. You ought, on the contrary, to take a distinguished part in the success of the enterprise. You know that, for a long

* The capitulation for the surrender of Mentz was signed on the 25th December, at Wesbaden, between the French General Hatry and General Rüdiger, Counsellors Deel, Kayserberg, and M. Meers and Fabers.

time,

time, the arms of diplomacy, terrible in the hands of the English minister, have languished without point in our hands. The Executive Directory is desirous to restore to this department its vigour and lustre. The peace of Campo Formio is fitted to be the epoch of this change. The congress of Rastadt will put the seal to it, and this object you ought to unite to promote.

At present, citizens, each of you doubtless forms a just idea of the greatness and the strength of the French republic. Foreign powers know very well, and it is unnecessary to remind you, that you represent the first people in Europe, a nation consisting of thirty millions of men, and which on the continent nothing is able to resist.

How then has England, a power inferior in means and in strength, even during the times of our monarchy, succeeded for more than an age in thwarting, and even humbling France? Her insular position, and the idea of liberty of which she boasted, have not been the only circumstances that have contributed to this astonishing effect. It has been in a principal manner the result of the diplomatic system pursued in England. But even this power, like the whole of her power, is factitious. We shall very easily be convinced of the truth of this assertion by following the train of English history from the moment the English interfered in the affairs of Europe.

It was the Protector, Cromwell, who first gave the tone to their diplomacy. Calling to his aid the vigorous and ci-devant republican pen of the celebrated Milton, Cromwell ventured to speak to all the cabinets of Europe that haughty language which the ministers of St. James's have always maintained, and which in the commencement, being only the overbearing insolence of a too successful usurper, appeared in the sequel to be the only energetic and haughty language of a people calling themselves free. Engaged in wars, the long series of which began and ended the reign of Louis XIV. the governments of Europe considered as extremely powerful those who gave themselves out as such. They allowed themselves to be browbeat, and yielded without inquiry to the pretensions of a court which accompanied its messages with threats.

Soon after, France, resigned to the government of an indolent prince and corrupted ministers, enfeebled at once by useless victories and alliances contrary to her interests, reduced to the most deplorable impotence, France saw herself compelled to tremble before the pretended genius of the cabinet of London. Strengthened by this illusion more than by any real power, England, at the end of each war, figured with distinction in the pacifications of Nimeguen, Ryswick, Utrecht, Aix la Chapelle, the treaty of Paris, the conferences of Pilnitz, and the subsequent crisis of our revolution.

This prejudice, citizens, it is important to destroy. This colossus with earthen feet must now be overthrown.

It is incumbent on you then, citizens, to attack with courage the power of England in its federative force, while on their side our armies, precipitating themselves on her coasts, shall display to the eyes of the governments of Europe, on whom her boasts have imposed, the true secret of her weakness.

Observe then what in this respect is the course you ought to pursue.

Place your conduct in direct opposition to that of the envoys of the court of London; adhere to this rule, which cannot mislead you. The cause which they defend is that of tyranny, of mercantile avarice, of shameful and criminal machiavelism. All these actions, all these views, bear the necessary mark of their vicious origin.

What has prevented England from imitating Carthage, which, in order to render the nations by which she was surrounded more dependent by an excess of ambition which degraded humanity, prohibited those nations, under the pain of death, to sow, to plant, to cultivate, to trade, or to do any thing of this kind?—a prohibition, the recollection of which excites execration. Is not this the object at which the maritime despotism of Great Britain indirectly aims? Does she not wish to engross exclusively the commerce of the whole world? And what cabinet in Europe could be so blind as not to feel the interest of all the powers in Europe to combat and to extirpate so horrible a monopoly, and to confine to their island the pretended despots who ought not to interfere in the affairs of the continent?

With regard to you, citizens, the cause you defend is that of liberty, of philanthropy, of glory, of virtue. The splendour of so illustrious a cause must be reflected upon you and your actions. France has fought by land for her independence and for her natural barriers; she is about to combat for them on the sea, not for herself alone, but in order to liberate the ocean, and to emancipate all the nations, which are equally the victims of English avarice.

London is compared to Carthage; the French might better be compared to the Romans. But Rome was too much a stranger to commerce and the arts. Rome seemed to be ambitious only to conquer the world. She made war upon Carthage as upon a rival empire, not as a commercial people. How far more respectable are the motives that instigate the conduct of the French! It is not merely the injuries of several ages that France is now eager to avenge on the English government; it is for the interest of Europe, and for that of humanity, that the French government undertakes to vindicate the freedom of the seas. Their usurpation in that respect is unparalleled in history; and in this point

point of view it becomes the duty of every nation to put up wishes for the fortunate success of our arms.

Do not shrink, citizens, from a manly and worthy fulfilment of your mission. Let the pen and the voice of the French negotiators co-operate with and second the courage and the sword of our gallant defenders.

The more the agents of England are imperious, stirring, and crafty, the more you ought to evince of rectitude, loyalty, and of that moderation which exemplifies much more strongly that morose austerity, the characteristic features of real power.

Keep a watchful and jealous eye on all their proceedings; prevent them from succeeding in the formation of any new machinations against the republic. Let them see that you incessantly pursue their footsteps, and observe every road they take; explore their attempts even through the secret recesses of cabinets; be bold and forward to face and attack them in their last entrenchments. Be zealous to discover, and vigilant to disconcert the dark intrigues, the black calumnies, the perfidious seductions, and the frightful projects which it is the study of their secret agency to conceal. This agency is busy in every quarter, among our avowed enemies, among our sworn allies; in Italy, in Spain, in the Batavian republic; perhaps, still more than elsewhere, in the bosom of France itself. Relax not your efforts in counteracting their influence, not by petty chicanery and dishonourable frauds, but by wise and well-wished representations; you will be duly attended to, and the Directory will lend its arm to your support.

It will be your duty, from time to time, to hold out to the ministers the manly energy of republican language; but, however, without being prodigal of means that must strike and decide: be always prepared to unmask to me the horrid machinations of the infernal genius of the cabinet of London. Government should be acquainted with every thing, from every quarter, and in due time—your respective instructions shall be punctually attended to, and daily compared, and thus submitted to the inspection of the Executive Directory; and it is surely not your wish that it should learn from any other quarter what it should see and be informed of through the medium of your vigilance.

As to what personally regards you, citizens, endeavour to make yourselves beloved, esteemed, and respected. Do not fly in the face of the usages, of the manners, or of the prejudices of the countries where you reside; but while you observe every thing that is due to decorum, do not throw off the customs and the manners of republicans. In the room of unmeaning etiquette, substitute that suavity of temper, that polite frankness, which flow from the soul of virtue, and from the consciousness of native dignity which liberty inspires; above all, beware of a vice but

too common in our days, I mean that noisy and irascible fierceness which, in a diplomatic character, can never be viewed as an auspicious disposition; be measured and guarded in all your actions, and never be unmindful that impetuosity is not strength.

It is my intention, citizens, to be more regular and frequent in communicating to you the views and notions which a correspondence with you may suggest; increase, therefore, your vigilance and punctuality. The object of the present is more particularly to form between the agents of the French diplomacy, an active and zealous confederacy against the last enemy whom the republic has to subdue, and thus to meet and accomplish the views of the Directory. Your first and leading object must everywhere show how little the English cabinet is worthy of confidence.

Exert all your endeavours, citizens, in this main object of your labours. You must, doubtless, meet with great difficulties, but you will, and know how to surmount them—be not disheartened—the army of England will remove and smooth away the obstacles that oppose you. The country keeps a fond and careful eye upon you. By exactly conforming to the spirit of the present, you may look for a sure support to the union and wisdom of the Executive Directory, and to the friendly and benevolent intentions of the minister who now addresses you, by a special order of the Directory. Health and fraternity.

The Minister of foreign Relations,

(Signed)

TALLEYRAND PERIGORD.

Message from the Executive Directory to the Council of Five Hundred on the 4th January.

Citizens Representatives,

THIS day the proper officers proceed to seize all English merchandise being in France, or introduced into its territories in contravention of the law of the 10th Brumaire. Such is the first act by which, since peace has been given to the continent, the war, long declared against England, at length begins to assume its real character.

The French will not suffer this power, which every where introduces its manufactures, and takes nothing of foreign industry in return, longer to enjoy the fruits of its wicked speculations. Since it had to fear the capture of its vessels, it has bribed foreign captains to take on board English merchandise, and to introduce them by artifice and fraud into other countries, and particularly into the French republic. Neutral powers must have perceived, that by this conduct their merchants were taking part in the war, and lending succour to one of the belligerent powers. Neutral powers

powers ought to have perceived that England, in seizing the ships of other powers bound for France, and suffering the circulation of none but their own manufactures, looked to an exclusive commerce. A law of the marine, and a regulation made in 1704, declare all ships, in which shall be found English merchandise belonging to enemies, lawful prize. These regulations should be extended; the interest of Europe requires it. The Directory thinks that it is urgent and necessary to make a law to declare that the state of vessels, so far as concerns their quality of neutral or hostile, shall be determined by their cargo, and that the cargo shall not be protected by the colours; and consequently, that every vessel found on the sea, having on board the produce or merchandises of England, or of her possessions, for her cargo, either in the whole or in part, shall be declared a lawful prize. It would be useful also to declare at the same time, that the ports of the republic shall be shut against all foreign vessels which shall have entered in their passage into those of England. The Executive Directory requires of you, citizens representatives, to adopt those measures. No neutral or allied power can be mistaken in their object. The infallible effect of this measure is, to raise the value of the produce of their soil and of their industry, to increase the prosperity of their commerce, to reject every thing coming from England, and influence essentially the termination of the war.

Such are the motives which induce the Executive Directory to invite you, citizens representatives, to take the object of this message into your immediate consideration.

(Signed)

BARRAS, President.

LAGARDE, Sec. Gen.

Proclamation of the Executive Directory to the French Nation.

Citizens,

Paris, 17th Nivose, Jan. 6, 6th Year.

THE legislative body has this moment consecrated the patriotic vow offered up to the Directory by the merchants of Paris, by publishing the law relative to the English loan. The Executive Directory is now about to recall to your minds the motives which ought to interest every individual in the success of this measure.

Citizens, conquerors of Europe—there only remains to triumph over one enemy, whose dominion is over the sea, and whose power pretends to shut you from it.

The agriculture of France, its commerce, its industry, all is wrested from you by the English, who block up your ports.

Ye in particular, French traders, manufacturers, ye who are employed in the maritime departments and in the great communes, second by your zeal the example which has been set by the merchants of Paris. Do you hear the minister of Great Britain, who informs you, with the most vain-glorious insolence, that the trade of England is, with respect to that of France, as the proportion of eighteen to one; that the imports and exports amount in France but to 400,000,000, whilst those in England exceed seven milliards?

Have you a moment to lose in putting a period to the calculations of British avarice? France has been compelled temporarily to sacrifice its credit to the success of the war. Now victory ought to repay those sacrifices, and restore at once that portion of wealth and rank which the extent of its territory, its population, its coasts, and its rivers, entitle it to hold among commercial nations. Most esteemed merchants, think of this! Lay the foundation of your riches on the credit of the nation. You behold the government prohibiting English goods and merchandises, whilst it is eager to open new sources for French industry. The cause is your own. What you do to promote the war, you do for yourselves, for the success of your trade, for the interest of your families, and for the benefit of your posterity.

Citizens of every degree, think what great effects will result from the efforts you are about to make to humble and punish the cabinet of London. For ages has England troubled the repose of Europe: its restless genius has tormented the whole continent from which it imagines itself invincibly separated. Frenchmen, teach this ill that it is not inaccessible because it is insulated, and destroy within its bosom those miseries which it has extended to your own dwellings. England once vanquished, a perpetual peace will be firmly established, and the balance of Europe will remain invariable; for the French republic, too mighty to be attacked, will have no inducement to attack others: it will be too powerful to be actuated by ambition, and it will not feel the desire of going beyond its limits.

This we may assure you of—triumph over the English, and you give peace to yourselves and your descendants. You bestow it even on the whole human race. Your battles will be the last that shall be fought. It is you who will stop the career of military glory, and in future the heroes of France will have no rivals to contend with.

But it is not sufficient to talk to you of glory. The French revolution, diverted from its course by so many obstacles, endeavours to recover its source. We ought never to forget that the principle on which it set out was philosophy, its object liberty; and that its defenders have, above all, taken up arms for the happiness of nations. You desire to overthrow the dominion of
the

the cabinet of London, but you do not wish to enslave the English. After the infallible success of the arms of the republic, the people of England rely on you for relief from those enormous taxes which weigh down the inhabitants of its cities and the cultivators of its fields.

Haste, citizens, to convince this nation that you separate it from that hatred alone due to its oppressors. May Frenchmen, ever loyal, and ever invincible, become in England at once the conquerors of the ministry and the saviours of the citizens—the vanquishers of the court, and the liberators of the people.

Do not believe that the English, if free, would hesitate to demand a glorious peace. The English themselves compare the machiavelism of their own government to the loyalty of the French republic. They have themselves admired the moderation of the French republic in its treaty with Austria. They know that in the struggle which their government forces them to renew, whatever may be the event, the chances are decidedly against England. If France is victorious in its first attack, the government of Great Britain falls under the weight of an immense debt. If any reverse of fortune retards your success, the English will see that nothing can abate your courage, or weary your perseverance. The longer the efforts of France shall be prolonged, the more will its debt for indemnity accumulate, and Europe knows that debt must be paid sooner or later.

What in fact has been the result of that formidable league which the cabinet of St. James's organizes against you at Pilnitz? They have forced you to fight for your independence. They have disputed with you the possession of Belgium; you have, in defending it, conquered Lombardy; by defending Lombardy, you have made the Rhine the limit of France. The war commenced against you in 1792, at forty leagues from Paris—in 1797 you terminated it within thirty leagues of Vienna. Every impediment thrown in the way of peace has given the signal for new victories.

O Frenchmen, of every description, the English have done you essential injury! Their cabinet has excited your internal discords; it is that which has raised Europe against you: it is that which has armed you one against another. Turn your arms against it; march to London. There you will extirpate the cause of your miseries. At London you will find peace abroad, and the end of your troubles. Having no other enemies to conquer, you will only have to think of founding your republic on the basis of repose and happiness.

You have run a long career; another struggle yet remains, and the object is attained. Certain precautions already announce victory. The power of enthusiasm has no limits in France. To prophesy your success, measure your will. Your enemies have

have but one hope, which is, to agitate your minds, if they can, to discourage you, and to disunite you. It is in your own minds they wish to fight with you. In other respects you have nothing to fear. Prove to them by the effect that you are actuated but by one sentiment. Let every one be eager to contribute to a great national undertaking; let every one, according to his resources, interest himself in the proposed subscription. May your eagerness to fill this loan be a pledge of that terrible rapidity with which the expedition will be carried on; and be assured, that even at the report of this unanimous movement, the cabinet of London will be already vanquished.

The Executive Directory decrees, that this proclamation shall be printed, posted, read, and published in all the communes of the republic. It shall be inserted in the bulletin of the laws.

The ministers of justice and the interior are to give an account of its publication to the Executive Directory.

(Signed)

P. BARRAS, President.

LAGARDE, Secretary General.

LIBERTY, EQUALITY.

The Commissary of the Executive Directory at the municipal Administration of the Canton of Calais, to the Inhabitants of that Canton.

Citizens,

THE victorious French republic no longer apprehends danger from its enemies without.

The coalition being destroyed, leaves England exposed to her mercy; that power alone, after having supported each of the vanquished powers in their turn—after having rent France with intestine commotions, will now sustain the whole weight of her indignation and of her vengeance. The money which she has lavished, and which she yet continues to lavish, will not save her from the sword of the republicans, and it is this sword which will soon avenge the cause of all Europe, of violated principle and of liberty trodden under feet. Its corrupt and tyrannical government will give place to that which the people of England, worthy, no doubt, of freedom, shall substitute to it, and before the trees shall have their first leaves on them, the tri-coloured standard, floating on the British soil, shall remind them of what they were and what they ought to be.

But in the moment of fixing for ever the destinies of the first republic in the world, the government, turning its attention to home, is no longer disposed to leave the internal enemies of the state any reason to hope for success, and is determined to destroy them;

them; not because it is apprehensive of their efforts, but because they weaken the public spirit, and because it is time to give to the state all that energy which has been vainly attempted to be destroyed. Government wishes to rally all the friends of their country and of liberty by republican institutions; because republican institutions alone can give energy to the public mind, and operate within, what its victorious arms have effected without.

Awaken, then, republicans of this canton, from your slumbers; you especially, patriots of 1789, who do not confound liberty with licence, and the laws with anarchy. This is the moment in which you must consolidate your work, and fix for ever the fate of France. Rise from your depression, second the efforts of a government which is perpetually triumphant—a government, which on the 4th of September destroyed the hopes of the royalist faction, and fixed peace, and secured liberty on the most unshaken basis. Dare to avow your principles openly; dare to call yourselves republicans; and may this title, hitherto unfavourably regarded, become henceforth an honourable title; and may those who do not deserve to share it with you, at least learn to be silent.

Officers of government! it is to you in particular that I address myself. Remember the republic will only be served by those who are the friends of liberty. Remember there is no longer any room to temporize, and that you must frankly show yourselves to be what you are. If there are any among you who are not devoted to the cause of liberty, remember that of all kinds of baseness it is the greatest to receive pay and maintenance and to hold a place under a government which you detest, and the destruction of which you are desirous to bring about. Quit your situations before you are driven from them, and lay aside a mask, which sooner or later will be torn from you.

Zealous officers of the republic, it is on you that the republic particularly relies, and on your example and your influence, to give vigour to the public mind. Employ in your offices none but the partisans of liberty, and discard those who have signalized themselves by contrary opinions. Scrupulously observe the days of repose, and let your offices be close shut on those days, and do you yourselves assemble, together with the magistrates, in the temple of the laws, there to be present at the promulgation of the new decrees and orders of government, to hear the recital of their triumphs, the songs composed on their victories, and the civic discourses, which are to encourage and give strength to the love of the country.

Government requires that I should acquaint them with the conduct of those who act contrary to these instructions; and I notify to you, that I shall neither betray the truth nor neglect my duty.

You

You too, who have been included in the requisition, and have been able, by means of the exceptions which government has thought proper to make, to preserve yourselves at home with your families, should recollect, that the favour you have met, renders it particularly incumbent on you to respect government, and to assist it by combating the enemies at home, while your brave comrades are engaged in contending with those abroad.

Citizens of all classes; at the commencement of hostilities against England, these coasts are about to be covered with the numerous battalions of the conquerors of Italy.—Welcome these brave defenders, and receive them with honours; observe their wounds; remember the acts of valour which they have performed—remember, that half naked, in want of every thing, and forgetting that they had relations and children, and considering only that their country and liberty were threatened, they secured these blessings by their blood—remember that they daily braved death, while you, quietly at home, were contented to read the details of their victories by your fire-side.—Render them then that tribute of gratitude which they have a right to expect—applause, at least, you owe them.

They indeed may speak of their country and of liberty—they know what they have done for them, and may consider them as their own work, since, without their efforts, neither the one nor the other would have been in existence. It is by uniting yourselves to these men that you will learn to appreciate the value of these great blessings, liberty and the republic. As to you who abhor these benefits—you especially, strangers, to whom the republic affords an asylum—you, too, whom passions, prejudice, and resentments, render insensible to her glory and to her triumphs, who daily pour forth your guilty wishes for her overthrow, whom the memory of past horrors cannot deter—whoever you be, and wherever you exist, be careful not to mistake the indulgence of government for weakness. I give you notice, that the end of this indulgence is at hand; and remember, that the power which has destroyed all the kings of Europe can with a breath annihilate you.

Internal enemies! believe that government knows and sees every thing; clubs, taverns, and places of public entertainment, nothing can escape their vigilance. Awaken all of you from your error: you especially who have suffered yourselves to be corrupted by perfidious influence, return to those sentiments which you owe your country, and draw that line between you and the agents of England which can alone protect you, can ensure you safety, and hinder you from sharing the punishment which awaits all men who seek to thwart its projects.

Citizens of all classes, I should betray you were I to conceal a cruel truth. In spite of my constant efforts to distinguish the
 mass

mass of the inhabitants of Calais from some individuals, perhaps more imprudent than culpable, I have not been able to prevent government mistrusting this commune; I have not been able to prevent them from considering it in an unfavourable point of view, and from suspecting that there are a number of individuals in it who oppose its measures, who regret the monarchical system, and who, devoted to perfidious England, are ready to assist the views of that power. "We are in possession," says the Directory, in its letter to me, "of the clue of this plot, and we already know part of the truth, that the public spirit is corrupted among you, and you alone. You, commissary, in whom we have placed confidence, you alone, among these numerous denunciations, cannot find one guilty person. What are you about?—We remind you of your duties, and of your oath."

No, my fellow-citizens, I profess it loudly—no, you are not given up to perfidious England. Its gold has not corrupted you; public spirit is not extinguished among you; and if the English who threatened the walls of Dunkirk, should have come to present themselves before the memorable gates of Calais, it is then that the world would have been convinced that if some among you were formerly devoted to a king, you would all have been resolved to perish, in order to preserve liberty and the republic.

No; both of them are for you the only object of your wishes and of your solicitude. You have proved this, by the numerous sacrifices which you have already made, and you may hereafter make. No—no, you are not Englishmen; you are Frenchmen—you are even republicans. I undertake to convince government that it has been deceived.

At this moment, when the armies approach, when the government is making every preparation for invasion, you must, citizens, remove every suspicion, by breaking off all connexion and communication with the country which the republic is about to attack, and cover with its arms: you will avoid every correspondence, which, though really innocent, might excite the jealousy of the government, and cause intentions to be ascribed to you which you have not, and which you are far from entertaining. This is one sacrifice more, but it is time to make it; and you will make it readily, because it is indispensable; because, by so doing, you will prevent new insinuations from occasioning new errors; because it will be one proof more of your devotion and your civism.

A patriotic loan is now opened at Paris, in order to accelerate the approaching invasion. Already have the administrations and the body of merchants at Paris subscribed several millions. A number of individuals in the departments are hastening to follow this example. You will no doubt imitate them.

Government has left it to the merchants of Paris to fix themselves the most speedy mode of repayment; and they will themselves assist the operation of it, which, as far as it appears at present, is by the produce of the postage of Calais.

You will join your offering to mine of 100 franks, which I propose to add to those already made. I shall transmit it to the municipal administration, who will keep an account of the names of the lenders. The whole sum will be sent off from Calais in ten days, and you will prove, that, so far from the gold of England being all-powerful with you, you can yourselves lay down money to humiliate and reduce it.

I repeat it again, second my efforts: do not reduce me to the cruel alternative of being obliged either to use severity in the performance of my duty, or to betray it by a culpable indulgence. May I always be happy enough to be able to proclaim the civism and the virtues of my fellow-citizens, and never unhappy enough to prosecute the guilty at the expense of my own feelings.

No! citizens of Calais, you will still be what you always have been—the friends of the country, of liberty, of equality, and of the constitution; and you will always gladly exclaim, *Vive la republique!*

(Signed) PIGAULT-MAUBAILLARCQ,
Commissary of the Executive Directory.

Resolution proposed by Villers to the Council of Five Hundred, and adopted, respecting Ships, on the 11th January.

1. **T**HE situation of all ships and vessels, with regard to their quality, as neuter or enemies, shall hereafter be determined by their cargoes; therefore, every vessel found at sea, laden, or partly laden, with the produce or merchandise of England, or of any of its possessions, is declared a lawful prize, whoever be the proprietor of the said produce or merchandise.

2. No foreign vessel, which in the course of her voyage may have entered an English port, shall be permitted to enter any port of the republic, unless she be in distress; in which case, she shall be obliged to sail as soon as the causes of her distress shall have ceased.

3. This resolution shall be sent to the Council of Ancients, by a messenger of state.

[The Council of Ancients approved of the resolution.]

Report,

Report, by Riou, to the Council of Five Hundred, 5 Pluviose (Jan: 24), respecting the Treatment of French Prisoners in England.*

YOUR committee has executed a most painful task. They are now to place before your eyes a series of crimes at which they have already shuddered—to demand vengeance, in the name of outraged humanity, against the English government—to interest, while they wound, your feelings—and, in fine, to offer those means which they regard as effectual for saving the nearly exhausted lives of 22,000 republicans, entombed in the dungeons of England.

The English government has heaped the measure of oppression, and the cries of death are raised against it from the four quarters of the globe. It has every where sustained, by guilty means, a power first established by corruption or by treason. It seems to wish that rivers should not flow but for the use of England—that the seas should bear their vessels only, and that all the productions of the New World, and of the distant regions of Hindostan, should become the prey and the aliment of her universal commerce. In oppressed India, not a step can be taken without discovering the train of English guilt. In that fair country, favoured of heaven, but desolated by man, the English gave, a few years ago, a dreadful example how far despotism may go, when joined with avarice and inhumanity. To obtain the merchandise of India at a better rate for England, the company of the latter coined rupees of gold to the amount of several millions, but into which there entered at least two-thirds of alloy. Thus the wretched inhabitants were deceived and robbed in their sales. But soon after the English had put this false money into circulation, they perceived that they must suffer themselves, from its return in the way of commerce and of contribution. The Indians were, therefore, ordered to exchange these gold for silver rupees. They came with confidence to make this exchange, when the money which was fabricated to rob them was taken only at its *actual* value—an immense loss to the oppressed—as great a gain to their oppressors.

A short time afterwards, Bengal was afflicted with an horrible drought. Rice grew only in some parts, and there in a small quantity. Of this the English took possession; they monopolized with avidity whatever provision was to be found, and held it in reserve for themselves and their sepoy. Thus secure, they disdained to attend to a numerous people, who were threatened with

* The English government published an account of their treatment of French prisoners, which our readers will find in a subsequent part of this volume, and which proved the allegations of France to be totally unfounded.

the approach of famine. It came, accompanied by despair, and followed by the most fearful of deaths. For many days the Indians, consumed by hunger, but still meek and suppliant, were seen wandering like plaintive ghosts around those fortresses where their tyrants revelled in abundance. A vast silence soon reigned throughout: and the public ways and places were covered with dead bodies, and the rivers rolled them by thousands to the astonished seas! *Three millions of men perished!* and their wretched remains, abandoned without interment, so corrupted the atmosphere, as to create a pestilence, which had nearly destroyed this unfortunate nation!

On recollecting these facts, distinctly and eloquently stated by the historian of the two Indies (Raynal), we may resent, but we can never be surprised at any conduct of the English government. It is the exclusive task of that government to deceive, to corrupt, to sow divisions, and to employ for their profit all the violent and most hateful passions of the human heart. It is their task to combat our revolution, after having contributed to excite it; to avenge the fall of the throne which they had previously weakened. They it is who give an asylum to the emigrants, and then cover them with humiliations—who pretend to succour these traitors, and then consign them to death. They landed them at Quiberon, and there not only abandoned them to the republican bayonets, but actually fired with grape-shot on those who sought to save themselves by returning to the vessels which they falsely deemed hospitable! It belonged to that government, in fine, at that epoch, so glorious for Hoche and his brave companions in arms, to expose as privates the officers of the ancient royal marine, and, on their fall, to say, with a smile but ill disguised,—“There the best mariners of France have perished!”

You must remember, citizens representatives, the misfortunes which marked the first year of the republican era—Lyons in a state of insurrection—Marseilles agitated—Toulon surrendered—our magazines destroyed, and our ships either burned or carried off by a perfidious enemy. A civil war was then kindled in our territory; and the rebels were armed and furnished with provisions by England. The infamous Puissaye, whom even emigrants must hate and cowards despise—this confidential agent of Pitt was then organizing assassination in the western departments.

What shall I say of the sufferings of your colonies, inflicted and paid for by the English? Am I now to speak to you of their dogs, formed into regiments, breasted with spikes, and, after having been starved for the purpose, let loose among the ranks of our soldiers?

It may seem impossible to add to this long catalogue of their atrocities; but the conduct of this government to their republican prisoners

prisoners adds a darker shade to the picture, and must excite the indignation of every civilized country.

From the commencement of the war, our prisoners were insulted. In despite of those proper regulations agreed to by all nations, they placed indiscriminately in the same prison officers and privates—a circumstance productive of unpleasant consequences, and injurious to discipline. When objections were made to this abuse, the agents of the court replied with a Sardonic smile, “You are republicans, you wish for equality, and you must therefore be treated equally.” They were fearful, however, of reprisals, and soon after accepted the parole of our officers.

Their hatred, however, still manifests itself with respect to our privateers; and certainly not without reason; for if the national marine has hitherto been in a state of *nullity*, the auxiliary marine of our cruisers has inflicted some fatal blows on the British commerce. That government has, in consequence, made a distinction between the officers commanding in national vessels and those of privateers. The latter have still the melancholy privilege of being most ill treated, and are confined in the same dungeons with their sailors.

We might make a volume of the acts of cruelty which have been inflicted on our fellow-citizens, in the unhealthy prisons in which they are crowded. Some are confined in old ships, others in ill-constructed huts, where they are exposed to damp and cold: even straw is refused to them, and they are compelled to lie in mire and ordure. They are called by the most insulting appellations, and, on their appearance before a licentious populace, dirt is flung in their faces. They are beaten, and even shot, on the smallest pretext.

These facts are proved; they are stated in a great number of papers referred to your committee. Judge of them by that I am about to read, and which is not of the most afflicting tenor. There are some of them, the reading of which you could not possibly endure.

[The reporter then proceeded to read a long letter from the owners of privateers, captains and officers, at Nantz, containing a detail of those enormities to which in his speech he had alluded.]

Amongst other instances, this letter mentioned, that an English soldier, for his amusement, had fired at a French prisoner, and shot him dead: an English commissary was sent for, but instantly retired, after coolly saying, “*It is only a Frenchman!*”—Again, that a female who had lain in, was suffered to remain for forty-eight hours, without being able to procure a glass of water!—“Vengeance!” cries the reporter, “vengeance against this cruel government!” The members immediately arose, waved their hats,

hats, and in concert with the galleries, repeated the cry of "Vengeance!"]

Riou then moved the following resolutions :

That the Executive Directory shall instantly take the necessary measures, to insure the provisionment, maintenance, and consolation in their illness, of the French citizens, now prisoners in England.

That they are authorized, for this purpose, to take the necessary sums from the most disposable part of those funds which are assigned to unforeseen expenses; and; if this resource should not be sufficient, to make it up from the amount of the patriotic donations.

The Batavian Constituent Assembly to the Batavian People:

Fellow-citizens,

THE day has arrived, when, for the second time, your liberty was to be defended, when the independence of this republic was to be protected against the violent attacks of sedition, when, at length, the explosion of a plan as baleful as artfully contrived, was to be prevented by the vigorous measures employed by your faithful representatives for the safety of the country; measures, without which, you would groan under heavier chains than you had ever carried; measures commanded by imperious necessity; measures which we have been compelled to adopt by the criminal conduct of those men, who, though enemies to the fundamental principles of our last revolution, have constantly combined to hold in their hands the reins of government. It was time to fill up this abyss, dug between the constituted government, and the shapeless federalism of some people united in appearance, but each regarding only his own particular interest. Our country has often felt the baleful effects of such an order of things: it is owing to it, that you never know your own proper strength: it is to it that England is indebted for the means of forming among you internal divisions: it is it that has chained down, nay, that has even extinguished a courage otherwise so intrepid, and that patriotic spirit so frequently manifested. It is owing to it, in fine, that each page of our annals is filled with baleful events; and it is this which would bring us back insensibly to the detestable government of the Stadtholder, and which would make us to regret those chains which we have broken, with the assistance of our faithful allies, and at the price of the greatest sacrifices. It was time to remove all obstacles, and to organize every thing necessary for the attainment of a fixed order of things. It was time to put an end to that state of confusion and uncertainty, which for three years has splot up the sources of our happiness, and conducted us

to the brink of the precipice which we have just this moment escaped. It was time to direct our attention to a danger, which the patience and indulgence of the French people so long endured, whose attachment is not cooled, notwithstanding the intrigues employed by a wicked faction to alienate them from us. It was time to render illusive all the attacks upon your liberty, attacks which were every day renewed. It was time to render useless the plans of those who, with a view of self-aggrandizement, have endeavoured to support the federal *regime*, and to render the revolution, so salutary in its principles, not only illusory for you, but even pernicious in its effects. It was time that the oath, which was made for the safety of the country—an oath, which many pronounced with a false heart—an oath lately renewed in your presence, should be realized by your true friends. For those, then, who have no object but the general good, and to point out to the country the means of repairing the evils which cunning and treason have caused; for those, then, there is no other line of conduct to adopt, but to deprive those wicked beings of the means of injuring you again. The plan of establishing the reign of some patrician families upon the ruins of the government of the Stadtholder, by attempting to oppress the real friends of their country, of extinguishing their courage, and depriving them of strength to oppose tyranny; the plan of subjecting you to the insupportable yoke of an elective aristocracy, under the name of a popular government by representation, and making you embrace a shameful slavery, by giving you nothing but the shadow of liberty—this wicked plan, so clearly expressed in the form of the constitution which you have just rejected, was never lost sight of; on the contrary, it became more and more dear to all its adherents; and the only difference between it and the attempts hitherto made for the same purpose, is an increase of artifice and violence. It was reserved for the French republicans to second the projects of true republicans, to extricate you a second time from the gulf into which they would have plunged you. We had no alternative between the last political crisis and the prospect of seeing liberty for ever enchained; and what patriot could hesitate a moment in his choice? Yes, Batavians, we are seen in the cruel necessity of putting in a state of arrest several members of your representative assembly, and of removing others from the government, not with a view to injure them, or prosecute them for their conduct, for we are too well convinced of the baneful consequences of a reign of terror; but to prevent them from undermining the foundations of our last political revolution, and, by destroying all obstacles, to direct your attention to a regular order of things, for the purpose of destroying despotism, and shutting out all access to anarchy; a measure which will cement the safety of the Batavian republic, and render it as useful to its allies, as formidable

formidable to its enemies. Do we offer you an exaggerated picture of the state of things? Have we recourse to calumny to inspire you with hatred towards honest men? Or, do we render homage to truth? The attacks upon civil liberty, are they not manifest? Are not the protection and favour shown to the House of Orange well known? Was it not enough to be a patriot, to be despised and rejected? Have they neglected any means of destroying public spirit? And has not the organization of the troops of the land been a long time the source of complaints? Have they not endeavoured in your representative assemblies to defend the committee of union? Have not several of your governors shamefully combated the lenity of the republic?—the sole means of rendering us happy at home, and powerful abroad. Have they not retarded by every possible means the formation of the national guard, that bulwark of liberty, as formidable to despots as salutary to the happiness of the people?

Is not commerce with our natural enemy tolerated? What do we say?—Is it not protected, in despite of the laws? Is it not suffered, in various places, to employ the armed force, to stifle the voice of the citizens, and to maintain with vigour an insolent despotism? Have they not employed the treasures of the nation, those treasures amassed at the price of your sweat and your blood, to corrupt every thing, to make you accept, at the point of the bayonet, a constitution which you have rejected with indignation? Have they not, in every respect, given vile egotists an assurance of impunity? Have they not permitted a few individuals to enrich themselves with the fruits of your labours, which you emptied in coffers no sooner filled than exhausted? Are not these nourished by the blood and tears of the orphan and the widow? Have they not rashly, without any necessity, and even against the intention of the French government, exposed the national navy, the weak remains of our former grandeur, to destruction? Have we not recently remarked the detestable efforts put in practice, to deprive us of the means of re-establishing our maritime force? and if the government had not been changed, would not the plan have effectually succeeded? Has not the public credit been shaken by measures as impolitic as perfidious? Have we not seen the different provinces openly oppose the will of the national representatives? and are not the latter torn to pieces by the spirit of party? Are they not rendered contemptible by the want of energy? and have they not, by half measures, broken the ties of administration? Ah! while all this passes under your eyes, and the loss of the republic becomes inevitable by the continuation of these horrors, the national spirit will never awake from its lethargic sleep. Will you not all arm to combat the enemies of your happiness, and to crush them, if they obstinately persist in their designs? The descendants of those heroes, who, without any other means than
courage,

courage, exterminated the whole Spanish power, shall they be intimidated by the vain measures of a band of tyrannical egotists? shall they infamously hide themselves, when preparations are making to give a mortal stab to liberty? And we, representatives, observing these odious enterprises, how can we be justified before you, before our children, if we were to remain longer unmoved? Should we not be worthy of being compared to those despicable beings, who seek to raise their power on your ruin, and whom, by our vigorous measures, we have at length destroyed? Will not our memory ever flourish in the annals of time? No, no, Batavians; we will swear upon the altar of liberty, upon which the people of the Low Countries have already made offerings, while others still continue slaves; we will swear by our general interest, by the prosperity of our children, by the happiness of posterity, that we will never suffer either despotism or anarchy.

We will all swear to snatch the country from its state of oppression, and to spare no sacrifice to succeed. We will prove, by our conduct, that we cherish civil liberty as much as we abhor licentiousness.

Range yourselves around the general administration, to support it in every measure which may be judged necessary to attain this grand object: thus we shall soon obtain a good constitution, founded upon the eternal principles of nature, susceptible of no change, and on which alone shall be built our political happiness.

Thus we will silence calumny, and make our adversaries blush; thus we will evidently prove to the greatest, the most courageous of all people, that it was not in vain they succoured us, in order to ease us of the yoke by which we were curbed. We will prove that Batavia is worthy a fraternal alliance with this nation. Thus will Europe again know us the worthy descendants of those Batavians who defended liberty, when the whole universe bent the knee to the power of domineering Rome. Soon will it acknowledge, in the present generation, the same people who formerly shook the throne of Philip; the same people who, by their courage and valour, so extended their possessions in other parts of the globe, that the sun, in its regular course, always shone upon Batavia, in the one or the other hemisphere; a people who combated the most formidable powers in the world; who forced the commerce of the whole universe to unite in its states; who held in their hands the political balance, and bore their sceptre on the ocean. Batavians, it is to this degree of greatness that we must return, by means of a good and wise constitution. But never shall we return to it, if the order of things, or rather that systematic disorder which for two years ensnared us, continues to exist. The monster federalism, little different from the hydra of the ancients, can only be conquered by an effort, which shall destroy, at one blow, all its heads. This great blow is about to

be struck—already the monster agonizes, but its last convulsions may still be dangerous, and we must provide against them. No society can exist without order. It is above all important that there should be no troubles during an intermediary government. Let every one then submit to the orders prescribed to the government. Let them be persuaded that the momentary sacrifice of some part of our civil liberty has no other object than that of procuring us a good constitution, and of assuring us the entire enjoyment of liberty.

All the constituted authorities shall continue their present operations, until the necessary changes, in a manner regular, and conformable to the general good. The *soi-disant* provisional administrations, or constituted authorities, in the different provinces, and the regencies in the different cities, districts, or villages, as well as the administrations of dykes, rivers, and bridges, shall be continued till this period, and shall be subject and responsible to the executive power.

The committee of justice shall remain provisionally upon their present footing; and there shall be no change. All officers, mayors, procurators of communes, and public accusers, shall provisionally continue the exercise of their functions, and shall pursue, with redoubled activity, all disturbers of peace and order, whatever mask they may assume. Persons and property shall be protected from every insult. The law which exists in this respect shall remain in force, and shall be rigorously executed; commerce shall be protected; and every one shall enjoy that safety which is the foundation of all social union. No inhabitant of provinces still existing, no community, society, or corporation, shall unite for the purpose of making, collectively, to this assembly, or to the executive power, any demand or petition; but every Batavian citizen shall be permitted to propose his opinions, and defend his interests.

Thus this new order of things will be established without difficulty or confusion, and the object which has rendered it necessary, will be completely fulfilled. Thus the ardent views of the true Batavians are about to be accomplished, and a good and wise constitution will consolidate our happiness, fulfil the wishes of our allies, and render us formidable to our enemies.

Batavians, it is to arrive at this salutary object that the assembly of your representatives have this day formed themselves into a constituent body, representing the Batavian nation, under the presidency of citizen H. Midderich, and has named provisionally for its secretaries citizens Adr. Ploos, Van Amstel, L. C. Vonk, N. F. Van Bennekom, and the secretary of the *ci-devant* national assembly, citizen J. Van Haesten. We will order each of these to respect the signature of the temporary president, as well as that of one of his secretaries, or his successors; and to obey and follow all orders

orders and commands so signed, as emanating from us. All petitions, before they are addressed to the constituent assembly, representing the Batavian nation, and all sentences of colleges, charged with the administration of justice throughout the Batavian republic, shall be henceforth in the name of the Batavian nation.

This shall be published and posted up every where according to custom. We order and charge the constituted authorities of the Batavian republic, who remain in their functions, to give the necessary orders, that our intentions in this respect may be executed.

Done and decreed by the said assembly at the Hague, the 22d of January 1798, the 4th year of Batavian liberty.

H. MIDDERICH, President.

Under is written, by order of the latter,

(Signed)

W. F. VAN BENNEKOM.

Proclamation published at Venice on the 19th Jan. 1798.

Venetians,

AFTER such great agitations, your destiny is, at length, fixed. It is with reason you rejoice at this happy event. Under the dominion of our august sovereign, the Emperor, you will enjoy the felicity which your wise conduct has merited, and which your new form of government will secure more and more. Meanwhile, General Count de Wallis, commander of his Majesty's army in Italy, has ordered that the present provisional government shall remain in activity, and be composed of five members in addition to the committee of police. The civil and criminal authorities, and also those belonging to the finances, are to continue in the same state. Matters are to continue on the same footing until his Majesty shall otherwise ordain.

Proclamation published at Verona on the 22d January, by Antoine Count Milfrowski, General of the Armies of his Imperial Majesty.

IHAVE learnt, with the most lively grief, that many persons in the city were yesterday molested and injured. I am more than assured of the affection and good disposition of these countries; and I hope that the excesses committed last night will not again take place; and I wish to believe they have only been produced by a mistaken zeal. I desire the repose, happiness, and safety of every individual.

No one has a right to do himself justice; it belongs to the government, and I shall take care it shall be exercised. The end

of this proclamation is to invite, and to order, under the severest pains, all the inhabitants to abstain from insulting, in any shape, by meetings or clamours, the true subjects of his Majesty. Numerous patrols shall be commanded to preserve public order. I flatter myself that the people of Padua will respect my orders, and will not force me to punish disturbers, and particularly the secret instigators of the troubles.

Proclamation published on the 2d February, at Padua.

BY order of Generalissimo Count de Wallis, the aulic department of justice and general police of Padua.

The intention of his Imperial Majesty is to preserve the public tranquillity and the most perfect discipline, in order to assure to his new subjects the safety of their persons and enjoyment of their property. Consequently, he prohibits all meetings, all private injuries, libels; and provocations which may be made by his subjects, of whatever religion or country.

He likewise prohibits every one from bearing fire-arms or swords, under the accustomed penalties in his Majesty's states.

Whoever shall dare to disobey the present order, shall be immediately punished by the military commandant, who shall equally watch over the disturbers of the public repose and secret instigators, against whom the police shall act vigorously.

Whoever shall resist the armed force shall be punished with death.

Letter from the General in Chief Hatry, to M. de Bartels, Commander of Mannheim, dated from Head Quarters at Mentz, Feb. 6.

THE Executive Directory have given me orders to declare to the Elector Palatine, and to you, Sir, who command the troops in Mannheim, that they demand the most speedy satisfaction, as well on account of the resistance which has been offered to us in attempting to take possession of the Tête du Pont at Mannheim, and the other posts on the left bank of the Rhine, as on account of the consequences of that resistance; and that they require that satisfaction be made to the French soldiers who have been wounded, and to the relations of such as have been killed.

The Executive Directory, in the firm persuasion that no delay will take place in making such satisfaction, suspend all hostilities; but if the Elector Palatine shall not explain his conduct

as to these points in the most speedy and satisfactory manner to the French republic, I shall be obliged to recommence hostilities.

(Signed)

HATRY.

Substance of a Proclamation published at Ergoul on the 5th Feb. 1798, by General Shauenbourg, Commander in Chief of the Army in the Frontiers of Switzerland, to his Army.

THAT the troops are to make no more conquests, but only to support the efforts of the friends of liberty against expiring aristocracy, which, in a federative republic, affects the privileges of monarchy, and reviles the descendants of William Tell, under the title of subjects. To fulfil this object, he hopes that the defenders of the country will prove, by their conduct, that the French, terrible in battle, are humane and generous towards the people who unite with them in friendship; that disorder will be severely punished, and that obedience to the chiefs, respect for the laws, and sentiments of humanity, will be inculcated.

LIBERTY—EQUALITY.

The French Republic, one and indivisible.

PROCLAMATION.

Arme Joseph Hipolite Mallartie, General in Chief, Governor-General of the Isle of France and of the Re-union, and Commandant-General of the French Establishments to the East of the Cape of Good Hope.

Citizens,

KNOWING for many years your zeal and attachment for the interest and glory of our republic, we are very impatient, and consider it a duty to make known to you the propositions that we have received from Tippoo Sultaun, by two ambassadors which he had sent to us. This prince has written particular letters to the colonial assembly, and to all the generals employed in that government: he has likewise addressed to us a packet for the Executive Directory.

First. He demands to make an alliance, offensive and defensive, with the French, proposing to maintain at his charge, as long as the war shall continue in India, the troops they can send him.

Second. He promises to furnish every necessary for that war, except wine and brandy, of which he finds himself absolutely destitute.

Third.

Third. That all preparations are made ready to receive the succours which they shall give to him ; and on the arrival of the troops, the chiefs and officers shall find every thing necessary to carry on a war that Europeans are little accustomed to.

Fourth. Finally, he only waits the moment when the French shall come to his aid, to declare war against the English, ardently wishing to drive them from India.

As it is impossible for us to reduce the number of the 107th and 108th regiments, and *de la garde soldée du Port de la Fraternité*, on account of the assistance we have sent our allies the Dutch, we invite the citizens voluntarily to embody themselves in their respective municipalities, to serve under the colours of Tippoo. This prince desires also to have the citizens of colour freemen ; and we invite all those who wish to serve under his banners, to enrol themselves.

We can assure all the citizens who wish to enrol themselves, that Tippoo will make advantageous treaties, which will continue with his ambassadors who may engage for themselves, besides in the name of their sovereign, in such way, that the French, who shall have taken part in his armies, shall not be retained when they wish to return back to their country.

Done this 10th Pluviose (29th Jan.), the 6th year of the French republic.

(Signed) MALLARTIE.

Letter from his Excellency M. de Sandos Rollin, Prussian Minister at Paris, to the Regency at Cleves.

Gentlemen,

Paris, Feb. 18.

THE minister for foreign affairs this moment informs me, that the Directory has ordered the French commissioner, Citizen Rudler, to discontinue every measure tending to organize your provinces. This step, which proves the uprightness of the Directory, has been adopted in consequence of my having expostulated on the above measures.

I therefore hasten to acquaint you with it, and remain,

(Signed) DE SANDOS ROLLIN.

Decree of the Executive Directory, published on the 24th Feb.

1. THE minister of the marine and the colonies shall immediately repair to Brest, to forward the naval operations ordered in that port by the Executive Directory, respecting the expedition against England. He shall also visit those of other ports with all convenient speed.

2. The

2. The ministers of justice and of marine are respectively charged with the execution of the present decree, which shall be printed.

(Signed)

P. BARRAS, President.

LAGARDE, Secretary Gen.

Executive Directory. Decree of the 11th Germinal (31st March).

THE Executive Directory having seen the reports that have been addressed to it by the minister of marine and the colonies during his journey to Brest, and considering that the want of concert between the operations of the land and naval armies destined for the expedition against England, may impede their celerity and prevent their success, has decreed as follows:

1st. General Buonaparte shall repair to Brest in the course of the present decade, to take upon him the command of the army of England.

2d. He is charged with the direction of all the forces, both by land and sea, destined for the expedition against England.

3d. The ministers of war and of the marine, each in his respective situation, are charged with its execution.

(Signed)

MERLIN, President.

LAGARDE, Secretary Gen.

Arret issued by the Executive Directory on the 25th Feb. 1798.

ALL English prisoners of war, without exception, shall be confined in prison; and these reprisals shall last until the English government, listening to the dictates of humanity, and the law of nations, treats the French prisoners in that manner which has hitherto constantly been observed between civilized nations. All the English prisoners shall be imprisoned in the department of Seine and Oise, Seine and Marne, Aisne and Loiret. The anterior regulation, pursuant to which the above prisoners were to be removed into the interior, to the distance of fifteen leagues from the coast and frontiers, is hereby annulled.

Speech of Garat, the French Ambassador to the Court of Naples, when presented to his Majesty, on the 8th May 1798.

YOU have had evidence, Sire, that the first object of my mission is, to maintain the peace which has been established between your Majesty and the French republic. That object is, to cherish all the sentiments of reciprocal confidence, which alone
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can render peace always more permanent and more advantageous between two powers.

You likewise have occasion to see that the principles of the Directory of the French republic, in its relations with the other nations of Europe, are the same with those which, under the French constitution, unite Frenchmen to Frenchmen—the same with the principles of justice. Occurrences which have filled Europe with their splendour, justify this testimony which I bear to the Directory of my republic. The peace which has been granted, at the moment of our highest glory, and the most complete development of our force, to nations which presented to the victors no longer obstacles to be surmounted, but advantages to be enjoyed; the independence and the liberty which have been bestowed upon nations in the midst of the thunder which threatened them with the yoke of a conqueror; new treaties of alliance formed with governments founded on principles hostile to the republican system; and that signal political toleration, the only means, the only pledge of peace to the present generation of Europe, established as a part of the constitution which has for ever shielded the social system in France from all dangers, by rendering it more capable of every attack:—such, Sire, are the features of the new government of France: they are the attributes of force moderating itself, stopping even at the point when it is justice invincible which assigns to itself limits which nothing on earth could impose.

Such distinguished qualities naturally invited to peace with the French republic all the powers which can appreciate and respect virtues so useful to the earth. From this, Sire, it happened that your Majesty was one of the first to sue for peace from France.

The time is come, Sire, when, under every government, those who govern are known, appreciated, judged by all Europe. The eyes and the ears of nations are now in the palaces of kings, as well as in the national assemblies and directories of republics. This public observation, too, penetrating into your heart, there discovers all the sentiments which are the germs of the virtues—that taste for simple manners which in every age has distinguished well-formed and elevated souls, and which must be deeply rooted and original to be long preserved upon a throne; the habit of frequently withdrawing from the vain pomp of a court, to examine into the wants of a people, and to cultivate their affection.

Your personal aversion for the complicated forms of justice, and your horror for cruel laws, have every where been displayed in the efforts you have made, from the beginning of your reign, to simplify the one and to correct the other.

The Directory of the French republic, Sire, not only wish to live at peace with you, but invite you to unite, by all the bonds of amity, the people whom you govern, and that whose laws they administer;

administer ; but, between nations as between individuals, friendship supposes or produces a reciprocal exchange of benefits. The treaties by which you are already united with my republic, doubtless, Sire, will produce, and it is the wish of the Directory that they should produce, treaties which shall open between the two nations a communication of their respective riches.

An enlightened policy dictates such a conduct ; and nature, by placing the two nations on the shores of the same sea, prescribes it.

A nation which, above all others, would have little intercourse with that sea, were not, or ought not, every sea the common domain of all nations ; a nation, which, by the genius suited to its situation, might share with France the glory and the happiness of being the light and the example of the world, and which, misled, or hurried away by its government, has attempted to convert that which it calls liberty into the means of imposing servitude on every king, and every people ; this nation, by the despotism of its commerce, has too long suppressed all kinds of commercial intercourse between Naples and France. This despotism approaches its termination, and the desire you must feel to see the people of the Two Sicilies increase in every sort of prosperity, which so benignant a climate and so fertile a soil ought to ensure, must induce you, Sire, to connect their industry with the industry of France, by which it may be improved and fertilized, rather than with that of England, by which it is extinguished.

It is by the diffusion of blessings that governments succeed in tranquillizing the anxieties of nations ; and the examples both of ancient and modern times bear witness, that violence has never preserved a government for any length of time, but that it has rapidly produced their ruin, and multiplied their falls. Even in the very enthusiasm of its infant liberty, the French republic beheld the shocking system of terror on the point of overwhelming liberty, and all the hopes it inspired in the blood of Frenchmen : and at the present day, when generosity and clemency have displaced that hideous system ; now that the enemies of our laws are no longer condemned by them only to live under other laws, all the virtues, and all kinds of prosperity, begin to dawn upon France under the influence of this mild *regime*.

This language, Sire, is the language the most consonant to that goodness which is said to be so congenial to your heart—and it is also a language that becomes the representative of a republic, become all powerful by the means of liberty, and wise by the dictates of its misfortunes. The Directory was desirous to address this language to your Majesty. It has chosen me to be the interpreter of its will at your Majesty's court—it is not because they find me sauntering under the porticos of favour and ambition, that the Directory has inclined their attention to make

choice of me for this extraordinary mission ; I have but rarely lived remote from the peaceful silence of the country, or from the Lyceum or the porticos of philosophy ; and when the course of revolutions, and the will of a republic, send me to reside at your Majesty's court, invested with a title, and charged with a mission which may prove useful to several states, imagination recalls to the mind the memory of those antique times when, from the bosom of the Grecian republics, philosophers, whose celebrity was borrowed only from their powers of thought, arrived in these very regions, on this very continent, on these very islands, to express their wishes for the happiness of the human race : many of them succeeded in doing much good, and all were anxious to do it. The wishes I breathe can have no other object ; nor have I received a mission of a different nature from the Directory of the French republic.

Such are the wishes which should be poured into the hearts of all governments, by every voice that can address itself to the human breast, in the name of heaven, and in the name of nature : and in these realms, where you reign amidst the most striking and astonishing phenomena of the heavens and of the earth ; in this land, a magnificent pile, ruins accumulated by the revolutions of the globe ; in the view of these volcanos, whose ever open and ever smoking mouths make us reflect on the burning lava which they have vomited, and which they will again vomit ; it appears to me, Sire, that under whatever denomination of government we may live, whether republican or monarchical, we ought to feel the most ardent impatience to signalize, by some solid and durable benefit to mankind, an existence which is so transitory and precarious.

Speech addressed to the Queen of Naples, on the 20th Floreal (9th May), by Citizen Garat, Ambassador of the French Republic to the Court of Naples.

Madam,

I YESTERDAY laid before the King of the Two Sicilies, his Majesty, your husband, the intentions of the Directory of my republic, respecting the maintenance of peace and good understanding, and I received the wishes of his Majesty for the continuation of that harmony which is so necessary for the preservation of his power. You, Madam, will be pleased to cherish in the heart of your husband such sentiments as may likewise contribute to your personal happiness and tranquillity.

France is accustomed to discover in the princes of the House of Austria, a great number of those principles and those views which she is anxious to convert into instruments for bringing to perfec-

tion social order, and promoting the happiness of nations. Your brother, the Emperor Joseph, when scarcely seated on the Imperial throne, impressed on the general mind throughout his vast dominions, a philosophic movement which made superstition tremble to its deepest foundations, and prepared the introduction of several useful changes in every branch of administration; and this head of the Empire was proud to boast of having drawn his information and his knowledge from the philosophical writers of France. Leopold, his and your brother, Madam, exhibited, in very circumscribed dominions, the most illustrious examples to the imitation of great empires; and France may well claim the right of thinking that she was not inactive or unanxious in promoting the good which mankind has derived from the economical principles adopted by that Prince, who took a pleasure in bearing her this honourable testimony.

These recollections, Madam, are the only ones which I shall find deeply engraven on your heart. The ambassador of the French republic entertains a hope that the pacific communications which he has just made, will drown the remembrance of prejudices that arose from events ill related in France itself, and still more disfigured by all the tongues that have repeated them in Europe: by partaking in these truly august sentiments with your husband, you will render yourself still more dear to his heart, and you will concur, Madam, in perpetuating between two nations, a peace which may influence, in more than one respect, the peace of all the other nations of Europe.

PROCLAMATION.

Petersburgh, May 15.

BE it hereby known to all whom it may concern, to all Europe, and the whole world; that his Imperial Russian Majesty, Paul I. has ordered the following proclamation to be issued by me, Prince Alexander Bestorodko, first minister and chancellor of his Imperial Majesty:—

In consequence of the notification of the Executive Directory of the French republic, of the 23d of Nivose, in the 6th year, importing, "That if any ship be suffered to pass through the Sound with English commodities, of whatever nation it may be, it shall be considered as a formal declaration of war against the French nation;" his Imperial Majesty, Paul I. has been graciously pleased to order twenty-two ships of the line, and two hundred and fifty galleys, under the command of Admiral Kruse, and M. de Litta, Knight of Malta, to proceed to the Sound, to protect trade in general against the manifest oppression of the Directory, as such a proceeding is evidently contrary to the rights of

nations. His Russian Majesty gives his Imperial word to protect the freedom of trade with all his power, both by sea and land, which he hereby requires the diplomatic corps to make known and proclaim.

*Message from the Executive Directory to the Council of Elders, of the
24th May.*

Citizens Representatives,

ENGLAND has hazarded a new expedition, which has ended only in its disgrace.

On the morning of the 19th of May, an English fleet appeared before Ostend, and bombarded that city violently. Protected by the fire of the fleet, their boats disembarked 4000 men, who took possession of the shore, threw up batteries there, and attempted to blow up the sluices of the Sas de Sleyken, and the gates of Ostend. The enemy summoned the place to surrender within half an hour. The garrison consisted only of thirty men. "You shall never become masters of the port which is entrusted to me," said the brave commander, Muscar, "until my garrison and I shall be buried in the ruins." Republicans are unable to confine themselves to defensive operations. On the 20th, at break of day, 300 men only of the 46th and 94th demi-brigades, conducted by Keller, commandant of the square of Bruges, marched to the English column. They attacked with an ardour and an intrepidity which partook of the nature of a prodigy:—the courage of republicans always increases in proportion to the number of their enemies. The entrenchment thrown up against them soon gave way; and after two hours fighting, the English, being entirely routed, threw down their arms. The bombardment which had recommenced, ceased; from 1500 to 1800 prisoners were taken: eight pieces of cannon, two howitzers, and a great number of muskets of the enemy, remain in our power. The rest of the enemy re-embarked with precipitation, having lost a great number of men, who were drowned in their attempting to escape.

The commandant of the British artillery was killed: one of their major-generals had his thigh taken off; another, together with 800 officers, as well superior as inferior, are prisoners. In short, the troops who had been disembarked were, according to the accounts of the prisoners themselves, the flower of the English army: they had been selected for the occasion; and among them were four companies of the guards, and the whole regiment of the Prince of Wales.

You will hardly repress your indignation, citizens representatives, at learning that the plans of the enemy were seconded by
traitors

traitors at Ostend. The cries of "Long live King George! Brave English!" were heard there; the national cockade was insulted, and the arms of the volunteers employed in manning the batteries, for want of artillerymen, were broken by some traitors. These atrocious acts shall not remain unpunished; but it cannot be denied, that the slow progress of the ordinary tribunals is insufficient to the punishment of those who should be struck down with the rapidity of the thunderbolt. You will consider, citizens representatives, of the propriety of declaring, by a law, that the traitors who by any means give encouragement, during an attack, to the enemies of the republic, shall be tried by a military commission.

The Directory invites you to take this message into your earliest consideration.

(Signed) MERLIN, President.

PROCLAMATION.

LIBERTY, EQUALITY, FRATERNITY.

Batavians,

SINCE it is but too manifest that the revolution which the victorious arms of the French effected in the year 1795, has been either openly counteracted or secretly undermined by those whom you have chosen to support and confirm it; since the unity and indivisibility of the sovereignty of the people, the consolidations of the debts of the provinces, the equality of the civic rights and duties, the abolition, in this respect, of all distinctions between ranks and stations, and lastly, the entire separation of the church from the state, have been continually, some in a more and others in a less open manner, the apples of discord in the present times; since the voice of truth and the welfare of the whole people have been obliged to yield to error, and provisional or personal self-interest; and since, lastly, the constant clashing of opposite and contradictory principles, has enfeebled all the branches of political administration, and threatens to render perpetual the unsettled and uncertain state of revolution; it must certainly be the wish of all, that a powerful, steady, and well-adjusted authority, should at length put an end to all these uncertainties, divisions, and contradictory principles, prevent their destructive consequences, and establish a wise form of government, founded on the acknowledgment of the great truths above mentioned, and confirmed by justice and prudence.

You flattered yourselves that these principles would be restored on the 22d of January last, and in whatever light you might at first view the events of that day, you were willing to excuse the irregularity

irregularity of the proceeding, from the state of affairs, and the necessity of the circumstances, and to support the authority of the new intermediary administration, the constituent assembly representing the Batavian republic. You only required proof that the events of that day were not the acts of a faction, but the triumph of true principles, tending to promote the welfare of the people.

Under these conditions you were willing to place unlimited confidence in the intermediary administration, and transmit the names of your patriots with unbounded gratitude to the latest posterity.

Such, Batavians, was your generous and noble conduct; but soon it appeared that the spirit of the new intermediary administration had no tendency to render all former differences forgotten, by just and generous measures. Soon it appeared, that, instead of a restoration of principles, you had obtained a change of persons, by a revolution similar, in that respect, to all the former which your commonwealth had suffered during more than two centuries, but much more dangerous than them all, since, by the precipitation and ignorance of the authors of it, every thing was overturned, and the country rendered a prey to anarchy and tyranny, in a manner of which its history affords no example. Not merely were the heads of the federative aristocratic administration excluded from the direction of affairs, but ignorance and disguised self-interest contrived to render suspected almost every person of abilities and merit in the country. Worthy men, and even such as had continually declared themselves the friends of the principles now established, and who had been constantly devoted to the interests of the people, but who had shown too much spirit to be slaves of a faction, or idolize individuals, were excluded both from the provincial and general administrations, which were filled with men whose conduct had rendered them contemptible in the eyes of the nation, or who, at least, had no other merit than that of being the blind supporters of a faction.

There is not a more certain sign of the approaching fall of a state, than when justice is publicly violated. Exiles return secretly into the country—sentences which had been pronounced against offences, and prosecutions against persons accused, were annulled. At the same time the seekers after offices, a race of men destructive to every nation, thrust from their places a great number of upright and able men throughout the whole country; and the order to remove those who were unfit to remain in their posts and employments, was enforced in the most arbitrary manner.

Such, Batavians, were the proceedings of some anarchists, who every where flocked together, and who were favoured by the majority of the members of the constituted assembly, and by the executive

executive power, either because these latter were weak enough to promise themselves a durable support from them, or because they had not sufficient strength to oppose them; they so far extended their influence, that many of those who had been members of the last national assembly, and who had shown themselves devoted to the principles of the revolution, whose only offences were, that they would not, without your previous assent, annul the federative government sanctioned by the national assembly, were declared to have lost the confidence of the people, and to be deprived of their right of voting.

The measures of safety, as they were called, should have had for their object the annihilation of all factions, without distinction: but they were, for the most part, carried into execution in so partial and arbitrary a manner, that the whole nation was rendered adverse to the order of things. All freedom of speech was taken away, and many resolutions too evidently flowed from the corrupt sources of revenge and private interest. The motto of unity and indivisibility should have united the whole nation, and excited all to combine and sacrifice their individual advantage for the general good of the country; but in such a manner were these terms employed, as to transform them into a perfect tyranny; and the transaction of the 22d of January, by the ignorance and precipitation with which it was conducted, became the object of general contempt, aversion, and ridicule.

At length, Batavians, the constituent assembly presented to you the plan of a constitution for your acceptance, and from that time began an avowed disregard of the established principles; the spirit of the intermediary administration was no longer disguised, and your grievances reached their utmost height.

Faithful Batavians! the principles themselves had not been in danger, had the new executive directory, established by the constitution, been chosen as that constitution prescribes. Would the constitution have been less freely accepted, had the meeting of the primary assemblies not been so long delayed? Was it necessary that emissaries, such as the men before mentioned, should be employed on this occasion? Was it necessary to entrust to them the dangerous power of depriving citizens of the right of voting? Was not this a violent attack on the sovereignty of the people, not justified by the urgent necessity pleaded in some other cases?

And as if all this were not sufficient, the injury offered to the insulted sovereignty of the people, on the 4th May last, was still greater. Then, after the acceptance of the constitution, and when the will of the people had been expressly declared, with respect to the manner in which their representatives in their legislative body should be chosen, the majority of the members of the constituent assembly, by their own authority alone, declared themselves the legislative body of the Batavian people, leaving
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no other free election to the people, but merely to fill the vacancies in that body. At that moment a flagrant breach of the constitution was committed, and a direct violation of the inalienable rights of the people perpetrated.

No disgraceful pretexs, no contemptible perversion of the words of the constitution, will ever be found sufficient to justify this act of violence in the opinion of any nation in Europe.

These things, Batavians, you have all seen ; they could escape the observation of no person. But we, whose different situations have placed us around the intermediary administration, have been able to view the whole of these transactions, and discover their motives and consequences. Numerous complaints of the inhabitants, which would not have existed, had it not been for the violent event of the 22d of January, have incessantly diverted the attention of the intermediary administration from the great interests of the country, and fixed it on matters of less importance. The negligence of the ruling powers has spread from commune to commune through the country ; and had not we, and some others, exerted ourselves to stem the torrent, a general listlessness and inactivity must have pervaded the whole land, and disaffection and alarm seized on all.

And will you then, Batavians, any longer suffer in silence the injustice done you ? Do you not feel, like your ancestors, the value of civil freedom ? Can you not distinguish reality from appearance, and the substance from the name ? Have you not long wished and expected that we, who have sworn fidelity to our country, who, from our situation, must be most capable to deliver you, should attempt your deliverance ? The resistance of the people must be fatal to oppression, and each Batavian who feels his worth, must at this moment be transformed into another Brutus. Batavians ! you have wrested the authority from your tyrants, who have stolen it from you under the pretence of being your friends.

But think not, Batavians, that we will never restore to you that which is your inalienable property, or that, in the mean time, we will deliver it into unworthy hands. We here declare, that we are responsible for it to you, and each of you, to our own consciences, and to the eternal Cause of all things.

The event will show whether we have delivered you from usurpation, or seized the authority as usurpers ourselves. Let the first constitutional legislative body that shall meet, decide upon this fact ; and, as we have already observed, since the majority of our former representatives, legally elected, who, on the 22d of January last, formed themselves into a constituent assembly, and now have declared themselves a constitutional legislative body, by which they have been guilty of an open attack on your sovereign power ; and as your other representatives, who acted as the heads of the federative or aristocratic administration, now annulled, have

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scrupled to take their seats in the assembly : we, compelled by the urgency of circumstances, and observing what is directed in the 31st article of the regulation annexed to the constitution, in case of a vacancy in the Executive Directory, have decreed, and hereby do decree,

1. That all such legislative authority of the Batavian people as shall require to be exercised for the daily and necessary interests of the country, shall, as soon as possible, be committed to citizens whose honour and integrity cannot be suspected.

2. That the late intermediary administration of the Batavian republic shall be required, as bound by their responsibility, to carry into effect the constitution of the Batavian people, in a speedy and regular manner, for the restoration and establishment of the constitutional legislative body.

3. That all authority of legislation, or in general of sovereignty, exercised by the intermediary administration, shall, immediately after the establishment of the legislative body of the Batavian people, pass to that body; and after the election by the latter of a legal Executive Directory of the Batavian republic, all the executive authority which we now necessarily exert for the deliverance of our country, shall be resigned to that Directory.

4. That we engage to be answerable for the just and faithful use of our authority, and the resignation of it at the time we have mentioned, to the legislative body that shall be elected, or by delegation from it, to the high national tribunal hereafter to be chosen.

Perfectly convinced that what we have done will be approved by the majority and most enlightened of the Batavian people, we hereby command, in their name, all constituted authorities, provincial administrations, or administrations of communes, all justices of peace, civil officers, and commanders of the military, and all and each of the inhabitants of the Batavian republic, to obey our commands, and acknowledge no other authority than ours, until the intermediary administration shall have met; which notification shall be made public, and be affixed up in such places as similar notices usually are.

Done at the Hague the 12th of June, the 4th year of Batavian freedom.

J. SPOORS, Agent of Marine.

G. J. PYMAN, Agent for the War Department.

J. G. A. GOZEL, Minister of Finance.

R. W. TADAMAR, Minister of Justice.

A. J. LA PIERRE, Minister of the Interior.

*Message from the Executive Directory to the Council of Five Hundred,
sent on the 1st July 1798.*

FOR a long time* the government of Malta has shown itself hostile to France. It afforded protection to emigrants, as also to the soldiers of Condé's army. Her constitution ought to have obliged her to observe a strict neutrality, but she always acted in favour of the enemies of France. The French, who were friends to liberty at Malta, were ill treated and confined. In a manifesto of the 10th October 1793, the Grand Master declared that the ports of the island should be shut against French vessels, and that he should recognise the ambassador but as a chargé d'affaires of the King, without saying any thing of the republic; he declared he could not, nor would not, recognise it. On the 9th of June of the present year, a request was made by the French general for water, which was refused by the Grand Master, who declared ironically, that he could not admit but two ships into the port. Dared he thus insult a French army, commanded by Buonaparte? The 10th of June, the French were on shore early in the morning, and Malta was invested, and the town cannonaded on all sides. The besieged made a sally, in which General Marmont, at the head of the 19th brigade, took the standard of the order. On the 11th the knights surrendered the town and port, and renounced their property in the island to the French republic. We found at Malta two vessels, one frigate, four galleys, 1200 pieces of cannon, 40,000 muskets, 1,500,000 rounds of powder and other ammunition, of which the Directory have not received the particular details.

*Speech made by Citizen Sieyes, upon presenting his Credentials to the
King of Prussia.*

THE credentials which I have the honour of delivering to your Majesty, express the sentiments which animate the Directory of the French republic towards your person. They announce also the motives which have induced the Directory to confide to me the important and honourable mission which I am come to fulfil.

I accepted this mission, because in my country I have constantly declared, to whatever function I was called, in favour of the system which tends to unite by intimate bonds the interests of France and of Prussia; because the instructions I have received being conformable to my political opinions, my ministry will be frank, loyal, and every way suitable to the morality of my character; because this system of union, on which the proper position of Europe, and perhaps the salvation of a part of Germany depends,

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was that of Frederick the Second, great among kings, immortal among men! because this system is worthy of the wisdom and good intentions which marked the commencement of your reign.

May the hopes of my government not be disappointed, and my well-known sentiments be regarded by your Majesty as one title more to the confidence of your ministers.

Discourse addressed by Guillemardet, Ambassador from the French Republic to the Court of Spain, on presenting his Credentials, on the 12th July 1798.

Sire,

CHARGED by the Executive Directory of the French republic to maintain, in the presence of your Majesty, the intimate connexion commanded by nature, as well as by the most sound policy, between the two countries, I hasten to renew the assurances of the esteem and affection of the government to which I have the honour to belong. A citizen of the republic which has acquired the respect and admiration of Europe, my soul is penetrated with a sense of the dignity to which the man is exalted who speaks in its name. Allied to a nation brave and generous, I am not less proud of the august functions which I am to fulfil with the authority which represents it. The exercise of the ministry of peace is that which is most congenial to my natural disposition. Thus you will find in me loyalty, frankness, and inviolable respect for the sacred engagements which unite the two nations. It gives me pleasure, Sire, to give you this guarantee with that assurance which sincerity inspires, with that full conviction of the duties which the honourable character with which I am invested, necessarily imposes. I should esteem myself truly happy, if, in acquiring some claims to the confidence and esteem of your Majesty, I could also acquire that of the two countries, which their mutual interest, and a sense of their glory, invite to the most intimate connexion.

Speech to the Queen, same Day.

Madam,

I HAVE assured the King, your husband, of the sincere desire I feel to draw closer than ever those bonds which unite the two nations. Such is the wish of the government which has sent me to your Majesty. My own engagements are conformable to it. I shall adhere to them. The ties which bind you to the King have entitled you to his entire confidence: thus you may enjoy the invaluable advantage of being able to contribute to the prosperity of

the Spanish nation : and if it be its interest, as it is that of the French nation, to maintain between them that intimate connexion which, by reciprocal confidence, may revive industry, commerce, and arts in their bosoms, it is worthy of you, Madam, to participate in those acts which attach the people to those who govern them. Confide, in this respect, to the sincerity of the envoy of a republic, which knows how to join the love of liberty to the respect which its constitution promises to the governments of those nations with whom it is in friendship.

Letter from the President of the Executive Directory of the Cisalpine Republic to General Brune.

Citizen General,

WHEN, by the treaty of alliance between the French and Cisalpine republics, the government of both confided to the commander in chief of the French army in Italy the entire disposition of the Cisalpine troops, it was done in the firm conviction, that such general would so dispose of them as not only to secure the frontiers of the republic from all invasion, but also to cause the Cisalpine name to be respected by all its neighbours. It is in the same confidence, Citizen General, that the Executive Directory hastens to acquaint you, that the court of Turin, daily forgetting the most sacred laws of good neighbourhood, and that respect which friendly nations should never lose sight of, has suffered in its capital a Cisalpine soldier to be taken by constables and kept bound in a dungeon. This injury, joined to many others, too long to be detailed to you, makes us hope, Citizen General, that you will make such dispositions as will enable us to claim vigorously reparation from the court of Turin, and secure from any attack the frontiers of our republic. Its conduct towards our friend, the Ligurian republic, whose territory it has violated, and its evil dispositions in regard to ourselves, give us reason to distrust the good faith of the protestations it has made to maintain good harmony between us.

(Signed) COSTABILI,
The President of the Executive Directory.

PROCLAMA-

PROCLAMATION.

Brune, General in Chief of the Army of Italy, to the Sardinian Insurgents.

*Head Quarters, Milan, 18th Messidor
(July 6), sixth Year.*

EUROPE has witnessed the bloody scenes of which Italy is the theatre. Scarcely delivered from the evils of war, she sees with indignation discord exciting them anew. The amicable suggestions of the Executive Directory of the French republic have not been able to put a stop to those factions which devoured each other, and all were rushing to certain destruction.

The French army, surrounded with insurrection and civil war, were obliged to be on their guard. It was easy to discover in all these commotions, the influence of the perfidious government, who have excited every species of crime against the repose of the world, and who have too often turned to their advantage even the most generous passions.

The real object of these last intrigues of England, is to obstruct the organization of the new republics in Italy, and to paralyze the efforts of the Directory for securing peace to all the states of the continent; and, above all, to induce us, by these outrages, to violate treaties which they know we have religiously observed.

Always certain of punishing her enemies, they have not escaped the notice of the French republic. But in the midst of them, she sees also some friends who have been misled.

She wishes to destroy the power of the first, and to restore happiness to the latter, by securing their tranquillity.

In consequence of the formal demand of the Executive Directory, the King of Sardinia has published a full and entire amnesty. No inquiry will take place with respect to the late disturbances. All proceedings relative to opinions, or political conduct, are annulled. Those who were prosecuted, or dreaded prosecution on these grounds, are free to return to Piedmont, to enjoy their properties and to dispose of them. As a guarantee of this promise, and likewise of the country which he governs, the King of Sardinia, the ally of our republic, has received a French garrison into the citadel of Turin.

By this means ought the flames of civil war to be extinguished. The French republic, after so many sacrifices to give peace to Italy, will not permit that this fine country should be abandoned to the most sanguinary devastation.

I therefore invite all the friends of the French, who, provoked by the injuries, the menaces, and persecutions of the op-

posite party, have taken up arms to defend their lives and their honour, to lay down their arms, and return to their habitations, and the bosoms of their families, assured of being no longer disturbed.

As to those who, after this amicable and solemn invitation, shall continue to form armed assemblages, unconnected with the organization of the French army, or the troops of the government of Italy, I declare that they shall be regarded as enemies to France, the friends of England, and promoters of disturbance; and I shall cause them to be pursued as such.

(Signed) BRUNE.

Letter from General Brune to the Chevalier Borghese, Minister Plenipotentiary of the King of Sardinia to the Cisalpine Republic.

Milan, 2d Thermidor.

YOUR note of yesterday, M. Minister Plenipotentiary, could not but fill me with astonishment; I am accustomed only to the language of good faith and honour, and I perceive in what your court has dictated to you, expressions and assertions, which wound the *simple virtues in which my nation constitutes her glory*. You call upon me to exert all my power to disperse the Piedmontese insurgents, at the very time when, drawn into snares, which their enthusiasm could alone prevent them from discovering, and which villany alone could contrive, they are massacred by hundreds; while the insurgents confined in the dungeons of Turin, and other places, are still in irons; while your government, communicating its sentiments through you, dares immediately after the amnesty say, that the country will be exposed to new calamities, if these ferocious men (the Piedmontese insurgents) are restored to liberty. Your amnesty then was intended as a new snare.

You say, that Citizen Angros, the French commander at Tortona, has permitted the insurgents to pass under the fortrefs. This assertion is utterly destitute of foundation. Having been apprised at midnight, that an armed force was approaching, he put his troops in motion: he intimated that he would not allow treaties to be violated. Angros is a brave man. Would he have done well to have assisted in exterminating wretched fugitives escaped from the massacre of the 16th Messidor? The French respect misery; they spare the vanquished; they never assassinate.

You ask me, Sir, to take some steps. You affect to be ignorant, however, that the force which is under my authority, cannot, and ought not to be employed, but in the event that those of his Sardinian Majesty shall be insufficient. You say not a word of the precautions which it would be necessary to take against assassins, who form a part of the militia of the King your master,
who

who daily, since the amnesty, have cut to pieces the small French detachments they meet, and shoot upon the roads our parties of cavalry. Europe will hear, and history will repeat, to the indignation of posterity, the answer of one of the principal officers of his Sardinian Majesty, the commandant of Alexandria, to the remonstrances of a French general: "What! your troops assassinated? It is owing to a mistake of our militia, who take them for Piedmontese insurgents."

You recriminate against Liguria, by accusing that republic of the charges which it imputes to you. The tree of liberty has been thrown down with contempt and insult in the towns which you still occupy. Contributions have been imposed, vexations committed, arms carried off. Your government has been the aggressor. Liguria showed itself the first to listen to the invitations of the Executive Directory, for the re-establishment of the peace of Italy. She laid down her arms, at the moment when her energy promised her new victories. Her good faith and generosity have never been exposed to doubt.

Nevertheless, in order to avoid all disputes on the principle of restitution, by an order of yesterday, I decided, that the *places* taken on both sides *shall be put into the hands of the French republic*, and kept as a depot, till a definitive treaty takes place between the two powers.

Your court has made public the convention signed by Colonel Saint Merfan and me, relative solely to the taking possession of the citadel of Turin, but it has not thought proper to publish the previous convention, which fixes the basis of the amnesty, and which was signed by Citizen Ginguene, ambassador of the French republic, and M. de Prioca, his Sardinian Majesty's ambassador. Besides, I only received a single copy of the royal proclamation, and therefore it was not in my power to distribute it to our generals and commandants. If your insurgents are no better informed than we are of the dispositions of your court, I am not surprised that they still entertain alarms.

I do not say a word of a number of circumstances which prove a deep, crooked policy, in certain counsellors of his Sardinian Majesty. The indisputable facts I have mentioned, are sufficient to show that disposition. It is yet time to return to good faith and to justice. It is the wish of the French republic, that all should be tranquil and happy around her army. She ought no longer to be disturbed by seditions, occasioned by the most criminal intrigues; and his Sardinian Majesty himself would do well to remember, that it was he himself who called upon us to secure the tranquillity of his dominions.

I request you, M. Minister Plenipotentiary, to notify to your court the following demands:

1. That liberty shall be granted to the imprisoned insurgents.
2. The

2. The citadel of Turin shall be furnished with provisions for two months, and the stores and other necessaries which were carried off when the French troops entered, shall be re-established, the taking away of which endangered the safety of the depot.

3. The militia and other forces, which exceed the peace establishment, shall be disbanded.

4. The Count de Salla, his Majesty's commandant at Alexandria, shall be recalled.

Upon these conditions, which are all either the provisions or the consequence of the conventions signed at Turin and Milan the 8th and 10th of this month, the French republic can still rely on the fidelity of her ally, and banish all suspicion, notwithstanding errors of too fatal consequences.

I yesterday sent you copies of my proclamation relative to the insurgents. I send you several others. I trust that as well for the sake of humanity, as the interest of your court, you will take care to have them distributed.

I have appointed an officer to regulate, in concert with a Sardinian officer, every thing that relates to the communications within the limits of the places which we occupy, and the means of facilitating the return of the insurgents.

(Signed) BRUNE.

Proclamation published on the 21st July, at Turin.

THE Marquis Don Charles Francis de Thaon, Chevalier, &c. governor of the city and province of Turin.—After the beneficent orders so often repeated for the preservation of tranquillity in his realm, his Majesty hoped to have seen it perfectly restored among his well-beloved subjects. It is with the greatest astonishment, and the most lively regret, he learns that this tranquillity is in danger of being interrupted anew by evil-designing persons, lately returned into his territories, who labour, by false and seducing schemes, to make the people favour their dark and insidious plans, either by predicting still greater misfortunes, or by artful exaggerations of the complaints of the country; or, finally, by openly and unreservedly exciting all descriptions and classes of the inhabitants against individuals of the French nation.

From the atrocious malice of these wicked men must result consequences baneful to the public and private tranquillity of his Majesty's subjects.

The French live in Piedmont under the protection of public treaties of peace and alliance. All hostile plans that might be executed against them, would, therefore, be contrary to the engagements of his Majesty, and the principles of honour which al-

ways

ways distinguished his subjects. They would be, moreover, the source of the most heavy misfortunes to the state, and to individuals.

His Majesty, therefore, being desirous to prevent such disorders, by making known the danger into which the enemies of public peace endeavour to precipitate his good and faithful subjects, and putting them on their guard against the dark machinations with which they are surrounded, in order to stop the progress of such perfidious manoeuvres, has ordered us to notify to the public, that it is his Majesty's intention, that all his subjects should abstain from all discourse tending to agitate the minds of the people, and to irritate them against the French; that in case of provocation or insult, complaint should be made only to their superiors, who may be able to adjust the public peace; and that all those who shall disobey their orders, shall be deemed disturbers of the public tranquillity, and punished as such.

*The Ambassador of the French Republic residing at the Court of Rome,
to the Minister of Foreign Affairs.*

Florence, 11 Nivose (Dec. 31.)

IN my dispatch, No. 17, I gave you information relative to the present situation of Rome. Events have since occurred which obliged me to quit that city. On the 6th Nivose (Dec. 26), three persons came to me to say that a revolution was to take place in the course of the night; that the public indignation was extreme, and that they apprized me of this, to the end that no new event should surprise me. I replied to them, that my situation at the court of Rome would not allow me to listen tranquilly to such an overture, and that the measure appeared to me to be as useless as ill timed. They replied, that they wished to have my advice, and to know whether the French government would protect their revolution, if it should be accomplished? I told them that, as an impartial spectator of events, I should give an account to my government of the transactions; and I added, that at the moment of a general pacification, it would be unfortunate that any thing should happen to retard it. As a man, I exhorted them to be tranquil: I did not think they had the means within themselves: and I was sure the French government would not protect them. As minister of France, I enjoined them not to repeat their visit with such intentions. They quitted me with an assurance that every thing should be suspended for the moment. The night accordingly passed in tranquillity.

Next evening, Chevalier Azarra told me confidentially, that he had just been with the secretary of state, and that it appeared

probable some imprudent persons were about to attempt a rising, which would be as unsuccessful, on account of the smallness of their numbers and their foolish conduct, as that which was undertaken some months before.

I learned at the Marchioness Massimi's, that four of the leaders of this affair were the spies of the government, which had taken measures to defeat the plan of the insurgents, and that the insurgents were to meet at Villa Medicis. We separated.

On the following morning, at four, I was awakened, and told that there was a revolutionary movement at the Villa Medicis, where from eighty to one hundred men were assembled, and surrounded by the Pope's troops. I went to sleep again. In the course of the morning I learned that a patrol had been attacked by a band of sixty men. Two of the Pope's dragoons were killed. Some of the insurgents were apprehended, and the others known to the government. Many individuals had hoisted the French national cockade; a sack filled with which had been left, as if by accident, at the spot where they were assembled. I went to the secretary of state, whom I found tranquil, and told him, that, far from opposing the arrest of those who had hoisted the cockade, I demanded of him that this arrest should take place, with the exception of the French and Italians attached to my embassy: these amounted only to the number of eight, and I pointed them out to him, and proposed his immediately adopting measures against them. I informed him, that there were six individuals who had taken refuge in my jurisdiction; that if they were in the number of revolters, I should willingly come to an accommodation with him, in order that the impunity of these men might not give confidence. It was then two in the afternoon, and the hour of dinner with the cardinal. He begged me to retire for the present, promising to meet me at six in the evening, at the Spanish minister's, whither he was to go with the Tuscan minister. All this we agreed to.

I now returned home, convinced, by the serenity of the secretary of state, that the affair of the preceding night would have no disastrous consequence. I found at my house General Duphot and Adjutant-general Sherlock, and two French painters. We spoke of the paltry revolutionary attempt of the night before, as the news of the moment. We were about to sit down to table, but were retarded by the absence of my secretaries, who were engaged in drawing up a correct list of the persons entitled to wear the French national cockade. This I wished to send to the secretary of state before dinner. The porter now informed me, that twenty individuals were determined to force the house, and had in their hands a large quantity of French national cockades, which they were distributing to the passers by, whom they excited to call out, *Vive la republique! Vive le peuple Romain!*—One of them insisted

insisted on speaking with me: it was an artist, whom I knew, having been recommended to me at Paris by the minister, your predecessor. He presented himself to me with the air of a fanatic: "*We are free,*" said he, "*but we demand the support of France.*" This mad oration was particularly revolting in the mouth of an artist who had been one of the three with whom I had had the conversation on the 26th. I made him sensible of this. I desired him and his companions to retire immediately from the jurisdiction of France, or otherwise that I should take strong measures against them: He drew back, confounded. The military men who were with me endeavoured to convince them of the folly of their enterprise. "Were the government of the town," said General Sherlock, "to point a single cannon against you, what would become of your pretended liberty?" Upon this, the man withdrew.

A French artist came and informed me, that the number of the multitude without increased; that he had distinguished in the crowd a number of the spies of government, who were well known, and who called out, louder than the rest, "*Vive la republique! Vive le peuple Romain!*" that handfuls of pistols were thrown among them, and that the entry to the court was obstructed. The French officers demanded of me orders to disperse the mob by force. I chose rather to speak to them myself in their own tongue. I dressed myself in my diplomatic robe, and went into the court, accompanied by the French officers who were then in the palace. I heard a long discharge of musketry. A party of cavalry had penetrated into the midst of the place, within the French jurisdiction, and were crossing it at full gallop. They had fired through the three great porticos of the palace. The mob had taken refuge in the court-yard, and on the stair-case. I met in my passage with nothing but persons dying, intimidated fugitives, bold enthusiasts, and persons hired to excite and to denounce the agents of commotion. A company of fusiliers had followed the cavalry very close. I found them partly advancing into the portals of my palace. At my presence, they stopped. Asked for their leader, whom, being hid in their ranks, I could not distinguish. I asked this troop, by whose order they had entered into the jurisdiction of France. I ordered them to withdraw. They drew back a few paces, and I thought that I had succeeded in that point. I then withdrew towards the mob, who had retired into the interior of the court. As the troops withdrew, some of the mob advanced against them as fast as they went off. I told them, in a decided tone, that I would compel the first amongst them who should dare to pass the middle of the street to return; at the same time General Duphot, Adjutant-general Sherlock, two other officers, and myself, drew our

swords, to awe this unarmed assemblage, a few of whom only had pistols and stilettoes.

While we were thus busied, the fusiliers, who had merely retreated to get without the reach of the pistol shots, made a general discharge. Some of the people in the outer ranks were wounded by the spent balls. We who were in the middle were, however, respected. The fusiliers prepared to load again. I took advantage of this moment. I recommended it to citizen Beauharnais, the aide-de-camp of the commander in chief, who chanced to be with me on his return from a mission to the Levant, and to the assistant of Adjutant-general Arrighi, to restrain, sabre in hand, this troop, which was animated by very different sentiments; and I advanced with General Duphot and Adjutant-general Sherlock, in order to persuade the company of fusiliers to retire, and to cease firing. I called out to them to retire from the jurisdiction of France; that the ambassador would himself undertake to see justice done; that they had nothing to do for this purpose but to detach some of their officers or inferior officers to the Vatican, to their general, to the governor of Rome, or to the senator, or any other public man, when all would be at an end.

The too brave General Duphot, accustomed to conquer, threw himself among the bayonets of the Pope's soldiers; he prevented one from charging, and avoided the push of another; he followed him, as it were, by instinct. He was simply a mediator between the two parties. Misled by his courage, he proceeded as far as the Gate Septiminiana. A soldier fired a musket at him, and the contents lodged in his breast. He fell, but rose again, and supported himself on his sabre. A second shot extended him on the pavement, and about fifty more were directed against his inanimate body.

The Adjutant-general Sherlock received no wound; he saw his brave comrade fall: all their attention was now directed against us. He pointed out a way to me which led us to the garden of the palace, and withdrew us from all danger—from the assassins of Duphot, and from another which had now come up, and was firing on us from the other side of the street. The two young officers, pressed by this second company, joined us: they suggested a new species of danger to me. This newly-arrived company might enter the palace, whither my wife and her sister, who was on the following day to be married to General Duphot, had been carried by force by my secretaries, who had returned, and by some young artists. We regained the palace by the way of the garden. The courts were filled with base wretches who had contrived this horrible scene. About twenty of them, together, with some peaceable citizens who had remained on the field
of

of battle, entered the palace; the ways were dyed with blood; dying men were seen drawing their limbs after them, and wounded men lamenting at every step. The gates of the portico were at length shut.

The lamentation of the mistress of Duphot, that young hero who constantly commanded the advanced guard of the armies of the Pyrenées and of Italy, had always been victorious, now cut off, without defence, by mean ruffians—the absence of the mother of my wife, and of her brother, whom curiosity had caused to leave the palace, in order to view the monuments—the firing which continued in the streets and before the gates of the palace—the palace of Corsini, which I inhabit, surrounded by people of whose intentions I was ignorant: these circumstances, and several others, rendered the scene the most affecting I ever witnessed.

I caused my domestics to be called—three of them were absent. I caused the arms with which I had travelled to be ready in that wing of the palace which I inhabited. A sentiment of national pride, which I could not subdue, prompted some of the officers to go and rescue the body of their unfortunate general. They succeeded by the help of several faithful domestics, passing by a private way, in spite of the uncertain and ill-directed fire which the debased and effeminate soldiery of Rome continued on their field of slaughter. They found the body of this amiable general, formerly animated by such a sublime spirit of heroism, stripped, pierced with wounds, stained with blood, and covered with stones.

It was six o'clock in the evening: two hours had elapsed since the murder of General Duphot, and no person came to me on the part of government. Upon hearing the recital of the state of the body of our unfortunate fellow-citizen, I determined to quit Rome. Indignation suggested this project; no consideration, no power on earth would have made me change it: nevertheless, I determined to write to Cardinal Doria the letter No. 1. A faithful domestic traversed the soldiers—his route was traced in the darkness by his companions from the fire of musketry. At length they knocked with redoubled fury—a carriage stopped—it was perhaps the governor, the general, the senator, some public officer!—No; it was a friend; it was the Chevalier Angiolini, minister of Tuscany. He traversed the patrols, the troops of the line, and the civic troops: his carriage was stopped. He was asked if he wished to plunge himself into danger. He answered, with courage, that no danger could exist within the jurisdiction of the French ambassador. This generous reproach was a severe and true criticism upon the conduct of the Roman governors, against the officers of a nation to whom they owe the remainder of their political existence.

M^r le Chevalier Azarra, minister of Spain, did not delay to make his appearance. This man, justly honoured by his court, also despised all dangers. He had been a long time with me. It was then eleven o'clock at night, and they could not avoid expressing their surprise at seeing no public officer arrive. I wrote to the cardinal the second letter, the copy of which is hereunto annexed (No. II.). I received, a few minutes after, his answer, hereunto annexed (No. III.). At last, an officer, with forty men, whose intentions I am sure were good, came, by direction of the secretary of state, in order to protect my communication with him. But neither he, nor any other person, capable of concerting any decisive measures with me, for the purpose of delivering me from the revolvers, who still occupied one part of my jurisdiction, and from the troops who occupied the other, came to me on the part of government, notwithstanding the repeated demands I had made. I then determined to depart; the sentiments of indignation had given place to reason. I then wrote the letter No. IV. to the secretary of state, demanding a passport. He sent it to me two hours after midnight, with the letter No. V. I made all the necessary regulations in the dead of the night, with the *sang froid* of a determined resolution.

I wrote to the secretary of state letter VI. which he seemed to desire in answer to that which accompanied the one addressed to the Marquis of Massimi, minister of the Pope at Paris.

At six o'clock in the morning of the 9th, fourteen hours after the assassination of General Duphot, and the investing of my palace, and of the massacre of the people who surrounded it, no Roman came to me from government to know the situation of affairs. I set out, after having taken measures for the safety of the few French that remained in Rome. The Chevalier Angiolini was requested to deliver them passports for Tuscany, where they found me, and, after my departure, Citizen Cacault, with whom I am at present, with the Frenchmen, who have not quitted me since the danger commenced.

After the simple relation of facts which I have made, I should do injury to republicans, to insist upon that vengeance which the French government should take upon this impious government, which, having assassinated Bailleville, would willingly have served the first ambassador whom the French government deigned to send to them in the same manner; and to commit that crime upon a general who was distinguished as a prodigy of valour, in an army in which every man was a hero.

Citizen minister, I will not delay my journey to Paris: as soon as I shall have regulated the remainder of my affairs, I will give you new details upon the Roman government, and I will state the punishment which I think ought to be inflicted upon them.

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This government adheres to its character—absolute, and rash in the commission of crimes, cowardly and submissive when they are committed. It is now at the knees of the Chevalier Azarra, begging him to go to Florence after me to bring me back to Rome.

That generous friend of the French wrote me word of it. I add, that this minister, and that of Tuscany, have assured me they will solicit to be recalled from a country in which there is no real government; where the passion of an individual is the reason of the state; where the private hatred of the egotist influences the public man; the Roman considers his existence as the great object, and sacrifices the interest of the state to that sentiment. He will sacrifice to it those of his church, and of the whole world.

(Signed)

BUONAPARTE.

Letter from the Cardinal Secretary of State to the Pope, to the Marquis of Massimi, at Paris.

Sir,

THE dispatch which I this day send to you will be the subject of as much regret to you as it is to me. You know the extent of our sentiments of friendship for the French republic, as well as the interest which we all feel in whatever concerns it, or relates to the citizen ambassador Buonaparte, who is so respectable a man. I had received yesterday evening confidential reports, stating, that, in the course of the night, there would be some commotion in the city of Rome. This information did not appear to me deserving of much weight; but still I did not think it right totally to neglect it: therefore I took those steps which every wise government ought to take, under similar circumstances; and having thought it my duty to acquaint the ambassador therewith to-day, he approved of them.

I remained tranquil, placing an entire confidence in the dispositions manifested by the ambassador, and the precautions I had taken, when, all on a sudden, about eleven o'clock at night, I was informed that a body of insurgents had advanced to his palace, to demand support from him, which he most firmly refused; that afterwards General Duphot had unfortunately been killed in an action which took place between the insurgents and our troops. It was after this event that the citizen ambassador took the resolution of leaving Rome. I endeavoured, by the most urgent entreaties, to induce him to alter his resolution; but, in spite of his friendship for me, he thought it due to his person and situation to take this step; and I have profited by this opportunity to write to you, and to send the letter by the ambassador. I refer

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you to him for further information upon this subject; and I have such a confidence in his integrity and veracity, that I neither can nor ought to doubt that he will state the truth exactly to the Directory. The object of this letter is to desire you to wait upon the Directory, and to state to them, that the Holy Father feels the most sincere concern at an accident which he could neither foresee nor prevent. You must not offer any satisfaction for this event, which has rendered the Holy Father, and all of us, inconsolable; but you must entreat the Directory to point out what satisfaction they require. To ask it, and to obtain it, shall be the same thing; for neither his Holiness, myself, nor the court of Rome, can be easy until we know that the Directory are satisfied. Knowing their justice, I am persuaded, that if, on the one side, they cannot be indifferent to the loss of a valuable citizen, on the other, they cannot doubt of the lively concern we feel, they will give due weight to the immediate application which you are charged to make to them, and to the entire confidence with which we rely upon their determination. I cannot give you a more interesting commission than this; and it will give you a title to his Holiness's favour, if you can enable me to ease his mind upon this subject. I expect dispatches from you as soon as possible, and am

Your servant,

(Signed)

J. DORIA PAMPHILI,
Cardinal.

Rome, Dec. 28, 1797.

Copy of a Letter from M^{ns}. le Chevalier Azarra, to Citizen Buonaparte, Ambassador of the French Republic at Rome, dated Rome, 29th December 1797.

THE state in which you left us this morning is more easily conceived than expressed. I did not sleep the whole of the night, and before day I was apprized of your departure. Your man came to me, and gave me your billet, which, in the midst of the pleasure it gave me, caused me infinite concern at the loss of so dear a friend. I did not want it to put me in mind of you, yet I will keep it as the most sacred pledge of your friendship. Citizen Torette brought me the effects of the unhappy general, which he had sealed. I caused an inventory to be made of them, and will take care of them until his heirs shall have disposed of them.

I have told your *maitre d'hotel*, the director of the posts, and all other Frenchmen, to have recourse to me upon all occasions, with as much confidence as they would to you. The only inconvenience is, that I am not certain as to my own safety; for I see
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the people are not at all tranquil, and I am told that there are commotions at Trastivera.

While writing this, I received a message from the secretary of state, in the name of the Pope, requesting me to go to you at Florence, in order to bring you back to Rome. Though there was no common sense in this proposition, I only replied, that I was forbid interfering in the affairs of Rome. Rely upon my friendship, &c. &c.

T. AZARRA.

No. I.

The Ambassador of the French Republic at Rome, to the Cardinal Secretary of State, dated Rome, 28th December, Eight o'Clock at Night.

I WRITE to inform you of a horrible crime which was committed a few minutes after my return from the Vatican, where I went upon your invitation. The palace of France is surrounded and violated. It is necessary that you, or the governor, or some other person who possesses your confidence, should come here. I do not doubt but you will come yourself. You will only have to pass through troops.

No. II.

The Ambassador of the French Republic at Rome, to the Cardinal Secretary of State, dated 28th December, Ten o'Clock at Night.

AFTER what has just happened, it is impossible for me to prolong my stay in Rome, without committing the dignity of my character, and perhaps promoting interests totally contrary to my instructions, which were such as suit the representation of a great and loyal government. I demand a passport for my family, and for the French officers. I beg you will sanction the note I send you, for procuring post-horses.

P. S. Several Frenchmen have had their cockades torn from their hats in different parts of the city. The government shall be responsible for any ulterior insults offered to them.

Nos. III. and IV.

The French Ambassador to the Cardinal Secretary, dated Rome, Dec. 28.

I HAVE already asked for a passport: you ought to perceive that circumstances will not suffer me to remain any longer here.

Every delay which you occasion will astonish me, and I shall not know to what cause to attribute it. I repeat it to you, every thing calls upon me to speak ; send me the passport, and the order for the post-horses. I expect this mark of condescension from the particular friendship you have expressed for me. Send me by the bearer that which I ask of you, and think of the consequences of the least delay. If you could have come to me, you would not have doubted the necessity of my departure, or of that of the family belonging to General Duphot, whose life is intolerable in this palace. The blood of the unhappy man still stains my apartments and my stairs.

The least delay will be a contradiction to the sentiments which you have always professed for me, and the esteem of which I have given you so many proofs.

No. V.

Letter from the Cardinal Secretary of State, to the Ambassador Buonaparte, from the Vatican, December 28, 1797.

THE Cardinal Joseph Doria Pamphili, secretary of state, received, with the most lively affliction, the note of Citizen Buonaparte, ambassador of the French republic, and has signed, with the utmost regret, his passport, and the order for the post-horses. He dares not request him to delay his departure, but he takes the liberty of transmitting by him a letter to the Marquis of Massimi, in which, instead of stating all the facts, he relies upon the good faith of the ambassador to state them to the French republic.

The health of the Holy Father renders it impossible to acquaint him to-night with all that has happened ; and one cannot consider without affliction the impression which this unfortunate event will make upon him. This government will be ready to give to the French republic such satisfaction as it may require, though they have in no degree been in fault.

The Cardinal, before he concludes his letter, begs to state to the ambassador, that it depends upon him to preserve that peace which the commander in chief so generously established at Tolentino.

Hoping every thing from the goodness of the ambassador, he renews his assurances of high consideration.

(Signed) JOSEPH CARDINAL DORIA PAMPHILI.

No. VI.

The French Ambassador to the Cardinal Secretary, dated Rome, 8th Nivose, 1797.

THE ambassador of the French republic has expressed in another letter, sent by Citizen Moltedo, his regret at the imperious motives

motives which compel him to break off all correspondence with the secretary of state, without ceasing at the same time to retain in his mind the strongest sentiments of regard for the character and the polite and friendly manners of M. le Cardinal Doria, whose goodness is displaced among those irreconcilable enemies of the French name who now govern the court of Rome. I beg you to believe the sentiments of friendship and esteem with which he is,

Yours,

(Signed)

BUONAPARTE.

Letter from Talleyrand Perigord, Minister of Foreign Affairs, to Citizen Buonaparte, Ambassador of the French Republic at Rome.

Paris, 22d Nivose (Jan 11).

I HAVE received, citizen, the distressing letter which you wrote to me, relative to the dreadful events which took place at Rome on the 8th of Nivose. Perfidy and base villany were never carried to a greater excess. Be assured that the French republic will exact a reparation worthy of itself—and with this assurance receive the only consolation which can be given to him who has seen one of his best friends, and one of the most intrepid defenders of the republic, die by his side.

Notwithstanding the care you have taken to conceal almost every thing which personally relates to your conduct on that horrible day, you have not prevented us from discovering that you have supported with magnanimity the honour of the French name.

The Directory charge me to express to you, in the strongest and warmest manner, the lively satisfaction which they have received from your conduct in this affair. I hope you will readily believe that I am happy to be their organ in communicating these sentiments.

Health and fraternity.

CH. TALLEYRAND PERIGORD.

Message from the Executive Directory to the Council of Five Hundred, the 1st Ventose (Feb. 19).

Citizens Representatives,

THE theocratic government of Rome, forgetting the benefits of the treaty of Tolentino, and ungrateful towards the French government, which deigned to spare it after the assassination of Bassville—that government, ever faithless to human rights, on the 8th of Nivose last, insulted the great nation in the person of her ambassador, by violating the jurisdiction of his palace, and

murdering before his eyes a French general, the brave Dupois, who had hitherto escaped all the dangers of war, but could not avoid this act of cowardly perfidy. The Papal government had, for some time previous to this event, secretly recommenced hostilities, and made preparations for war, against the French republic: they called foreign generals to their assistance; they corresponded secretly with the conspirators whom the 18th Fructidor defeated. To excite new troubles in the heart of France, they opposed the decisions of theologians to the laws of the republic. Finally, they organized a mock insurrection against themselves, from which they hoped to find a pretext for calumniating France, and committing an outrage on her ambassador; but which was marked by all that giddiness and rage which were displayed in the events of the 8th Nivose. Since that day they have continued their manœuvres and their hostilities. It was the duty of the Executive Directory, upon this occasion, to employ for the defence of the state all the means which the constitution has placed in their hands. They ordered the general in chief of the army of Italy to march towards Rome; and a courier who is just arrived brings the information that the troops of the French republic occupy, since the 22d of Pluviose (Feb. 10), the castle of St. Angelo and the Capitol.

The Executive Directory conform to the 328th article of the constitution, by immediately informing the legislative body of the first steps which have been taken against a government incorrigible in its perversity, and furious in its hatred, against the revolution and the French republic.

P. BARRAS, President.

LAGARDE, Secretary-general.

Proclamation of Cardinal Dona at Rome, on the 3d Feb. 1798.

ROMANS, wife and virtuous Romans, your dear father, your sovereign, speaks to you by me. He informs you that he has received notice of the approach of a French army against this capital, and he is assured that it does not come to act hostilely against you. Fear not, therefore, but take courage from the presence of his Holiness. Full of confidence, inspired by the public conduct and magnanimity of the French republic, your sovereign feels no alarm. Animated with the greatest tenderness towards you, he will not forsake you at any time when you may be exposed to danger.

Procla-

*Proclamation to the insurgent Communes of Masaccio, Cingoli, &c.**Bologna, 17 Pluviose (Feb. 5).*

HYPOCRITES and fanatics have for a moment misled you. The French troops marched into the midst of you, declaring and proving by their deeds, that they were the friends of the people: but you have endeavoured to obstruct their progress; you have even been guilty of firing upon the soldiers of France, though, when their phalanxes approached, you were dismayed, and fled. The French soldier knows that those alone are criminal who are the secret agents of the government of Rome. He pardons you, and will even respect the property which you have abandoned. As general in chief, I pardon you in the name of the French republic. Return peaceably to your homes, and consider the French army as an army of friends. I repeat to you, that persons and property, worship, and your temples, shall be respected. Pay obedience to your municipal magistrates; submit to the authority of the French officers, who command only for the present moment. Follow your usual occupations, and continue to preserve your manners and customs in peace: in doing so, you will soon see happiness diffused among you. The French army marches towards Rome, not to make conquests, but to punish the assassins of General Duphot, and the insult given to the ambassador of the republic.

Speech of General Berthier on taking possession of the Capitol, on the 15th Feb. 1798.

MANES of Cato, of Pompey, of Brutus, of Cicero, and of Hortensius! receive the homage of free Frenchmen, in that capitol where you have so often defended the rights of the people, and reflected a lustre on the Roman republic.

The descendants of the Gauls enter this august place, bearing the olive-branch of peace in their hands, to re-establish the altars of liberty, erected by the first of the Brutus's.

And you, Roman people! who are about to resume your legitimate rights, recollect the blood which runs in your veins—regard the monuments of glory by which you are surrounded—resume your ancient grandeur, and the virtues of your ancestors.

Proclu-

Proclamation by the Department of the Police.

LIBERTY—EQUALITY.

February 10, First Year of the Roman Republic, one and indivisible.

IT is useless to demonstrate by words, to the sovereign people of Rome, the iniquity of the government which is just abolished, and the advantage of the change which has taken place. Every sensible man must acknowledge, that the will of all ought to prevail over the will or the despotism of a small number of interested persons; and that the unanimous consent of citizens who love their country is more free and more sincere than that of the foreigners who composed a theocratic government of so monstrous a nature. Abuses have been carried to their height. The debt greatly exceeding the revenues of the state, or the ability of the people to pay it, the scarcity of commodities having reduced all classes to the greatest distress, base money circulated to a great amount, and impunity given to the most unjust monopoly of provisions, are incontestable proofs of the excess to which the Papal tyranny has been carried.

The provisional government of the Roman republic, which has recovered its ancient rights, promise to pay unremitting attention to the re-establishment of the equality and the balance of commerce, so that provisions of every kind may be procured for their fellow-citizens. At present they content themselves with announcing, that the Mount of Piety shall be immediately opened, and that the persons who have goods deposited there may have them restored to the amount of *twenty paoli*.

The free Romans, confident of the future prosperity of a republic which will render them happy, are invited to give proofs of their joy and their patriotism by illuminations to-morrow.

To crown this festival by a fraternal meeting, there will be a public and *gratis* ball on Sunday evening, in the great theatre of Alberte; but without masks, as that kind of amusement is only an infamous remnant of the barbarous feudal system.

The good order and the tranquillity of the city requires that all citizens should identify themselves with the general will. Every person is therefore expected to wear the national cockade, the colours of which are white, black, and red. Those who appear with the cockade of a foreign nation, must produce their authority for wearing it.

The sovereign people have already, in several places, pulled down the armorial bearings of the abolished government: but justice and order demand that all marks of slavery should be every where instantly laid aside by those who arrogate to themselves such ridiculous pretensions.

In

In abolishing these ensigns of tyranny, it is proper also to suppress all distinctive signs of aristocracy whatever: therefore all orders of chivalry, gold keys, titles of nobility, or pre-eminence of any kind, are prohibited, as injurious to equality. Liveries, laces, and other badges of personal servitude, are also prohibited, as insulting to God, and degrading to man.

N. CORONA, Præfect.

MARTELLI, Secretary.

*General of Brigade Vial, Commandant of Rome, to the peaceable
Inhabitants of the City, and to the Civic Guard.*

Rome, 8th Ventose, (26th Feb.)

A REPORT was spread yesterday, that there was a division in the French army. The factious, the fanatics, assassins, and robbers, instantly formed the design of taking advantage of this circumstance. They began by organizing assassination in every quarter of the town, and some French soldiers were surrounded and murdered. They then assembled in the quarter of Transteverro, with the fanatics at their head, carrying an image of the Virgin. They appeared near St. Peter's church, crying *Vive Maria!* where, as the first act of their religion, they put to death a whole guard of soldiers. They next took possession of the bridge of Sextus, and of all the neighbouring streets. The pillaging was to have begun in the quarter inhabited by the Jews, and was afterwards to have been carried through the whole city, had the first attempts been successful; but the russians were ignorant of the spirit which animated the French troops; they knew not that upon the first summons every one would be upon his post, particularly when it was necessary to defend a people (the Jews) whom our principles teach us to protect. I was soon informed of all that had passed; and corps of troops sent into different quarters of the town assured me of the tranquillity of those places; but at Transteverro the miscreants were in considerable force. It was necessary to march against them, and without losing a moment's time I proceeded against them myself, at the head of some troops. They received us with a fire of musketry; but the bayonets of republicans soon overcame every obstacle. The gate near which the unfortunate Duphot was assassinated was forced with fixed bayonets, and the bridge of Sextus was carried in the same manner.

Inhabitants of Rome! be confident that the French wish to promote your happiness: of this intention they last night gave you a convincing proof. Had we not wished to give security to the lives and properties of the peaceable citizens, we might have contented ourselves with occupying some military positions, and the

promise of protection we made to you would not, as now, have been sealed with the blood of our brethren in arms.

As for you, civic guard, you have displayed on this occasion a zeal and devotion for good order which will for ever secure to you the gratitude of your fellow-citizens. I am happy to have the opportunity on bestowing on you in this public manner that tribute of eulogy and esteem which your conduct has so justly merited.

A great number of assassins who were taken with arms in their hands will be tried within twenty-four hours.

(Signed)

VIAL.

Alexander Berthier, General in Chief of the French Army, to the People of the Roman Republic.

THE enemies of your happiness, and of liberty, have endeavoured to mislead you. Some movements took place yesterday in the quarter of Transteverro, which were repressed by force. Several Frenchmen were assassinated—some of the guilty have been arrested, and shall be punished.

It was believed the French army was disunited, but those who thought so were deceived: were it possible that discord should ever prevail in the army, be convinced that the moment in which the enemies of liberty and of France should dare to show themselves, under any colour whatever, that moment the French troops would be united, and display the energetic character which has so often conducted them to liberty, and taught their enemies to tremble.

Roman people! listen not to perfidious counsels; respect the constituted authorities, who are constantly employed in endeavouring to promote your happiness. Invite every Roman citizen to make known directly to me every instance of vexation or oppression of any kind he may be subject to. All criminals shall be severely punished.

(Signed)

BERTHIER.

Message to the Council of Five Hundred, on the 13th Ventose (3d March).

Citizens Representatives,

TWO governments of Europe have been remarked for a cunning and sanguinary policy, and for their hatred to France, particularly France free and a republic. These are the cabinet of St. James's, and the theocracy of Rome. The crimes of the former of these governments have long excited our indignation; they will soon receive their just chastisement. These crimes,

times, however, are nothing in comparison to those of the Bishop of Rome.

By a former message, the Directory announced to you that the French troops occupied the castle of St. Angelo, and the Capitol. They communicate to you to-day the ulterior news which they have received from Rome, and which contains the details of one of the greatest events of modern history.

On the 27th Pluviose, General Berthier arrived under the walls of Rome: he did not enter the city himself, but remained in his camp.

On the morning of the 27th, the anniversary of the 23d year of the reign of Pius the Sixth, the Roman people proceeded to the *Campo Vaccino*, where they drew up a solemn act of the resumption of their right of sovereignty.

In this proclamation it is said in substance, that the Roman people, oppressed for a long period by a government of priests, a real political monster, have attempted several times in vain to throw off the horrible yoke; that a secret magic of superstition, of interest, and of armed force, combined against their efforts, had rendered hitherto their efforts useless; but that at length this government had fallen asunder of itself, by its alternatives of imbecility and insult, of meanness and pride: that the Roman people, fearful of seeing a horrible anarchy, or a worse tyranny succeed, had collected all their courage and strength to prevent the effects of this dissolution; that they had in consequence determined to reclaim their rights of sovereignty; that finally this united people declare with one voice and spirit, to God himself, and to the universe;

That the Roman people have had no hand in the horrible attacks and assassinations by which the government have so grievously offended the French nation, and her invincible republic: attacks which the people detest and abhor, and the infamy of which will recoil upon the heads of the authors.

That in suppressing, abolishing, and annihilating the political, economical, and civil authorities of this government of priests, the people have erected themselves into a free and independent sovereign; that they have resumed all their legislative and executive powers; that they will exercise them by their representatives, according to the rights of men, which are imprescriptible, and according to the principles of justice, truth, liberty, and equality.

That in consequence, by this act, all political, economical, and civil faculties exercised in the name of the Pope, are provisionally transferred to departments and members named by the people, at the head of whom are five councils, invested with the powers which the congregation of state filled.

This act contains besides, the nomination of all the other magistrates, prefects, ediles, officers of the provisional government.

Finally, the people name eight deputies to go in their names to the general of the troops of the republic, in order to implore from him the powerful protection of a generous nation—of those Frenchmen whose example has been the light that has enlightened the Romans, and whose friendship will guide and guarantee their return to liberty and their regeneration.

The act is dated Rome, the 15th February 1798, the first year of liberty proclaimed in the Capitol: it is followed by the signatures of all the Roman citizens, knowing how to read and write, to the number of several thousands; in presence of whom, and a countless number of people, it is said, that the act was read with a loud and clear voice, confirmed and approved with acclamations and universal joy.

After the proclamation, trees of liberty were planted before the Capitol, and in other public places.

At noon the deputation, bearing the colours of the Roman republic, presented to General Berthier the wishes of the people and the provisional government.

The general proceeded to the Capitol himself, to reply to the Roman people in the name of the French.

He traversed Rome in the midst of an immense crowd, applauding our arms. He ascended the Capitol, invoked the manes of Cato and Brutus, and declared, according to the intentions of the Executive Directory, that the French republic professes this principle, that the people are sovereign, and recognised the independence of the Roman republic, consisting of all the territory which remained under the temporal authority of the Pope by the treaty of Campo Formio.

The Directory annex to this message a copy of the declaration of General Berthier, in French and Italian.

After this declaration, transmitted to the provisional consuls, the general in chief made the tour of the Capitol, in the midst of immense crowds, rending the air with cries of, Live the French republic, the Roman republic, and liberty!

He passed through Rome to return to his camp. The same exclamations, the same joy followed him.

He says, in a dispatch of the 27th Pluviose, "The altars of liberty are re-erected in the Capitol. All the people are content."

On the 28th, he writes that this revolution was effected in the greatest order, and that "Rome offers the imposing and majestic spectacle of a wise people resuming their dignity, breaking their chains, and preserving only a cold contempt for their oppressors."

In another dispatch of the 2d of this month, he announces every thing that could consolidate the great work of the ever memorable day of the 27th Pluviose.

The municipality of Rome is organized, as well as the civic guard, which has taken the oath of fidelity to the Roman republic.

The French general has taken those precautions which worship and prejudices might require on his part. On the 30th Pluviose, the churches of Rome resounded with a *Te Deum*, to celebrate the day on which Rome regained her liberty, and proclaimed her republic. Fourteen cardinals sung this hymn themselves in St. Peter's: they are not of the number of those who counselled the horrible perfidy committed against France; the authors of it are for the most part fled, the rest are taken.

The Pope quitted Rome on the 2d of this month, at four o'clock. He demanded from the French two officers, who were granted him to serve as a safeguard. It was not thought proper to keep him prisoner, because he threw himself upon our loyalty. Nor have the attentions due to his great age been forgotten; but he felt himself that he could not remain at Rome, that he ought to consummate the revolution, give place to liberty, and resign himself to his lot. Free Rome has been purged from the presence of the despot, his arms have been removed, and his retreat has been celebrated by a solemn fête.

Trees of liberty are planted in all the communes of the *ci-devant* ecclesiastical states. It was somewhat difficult to destroy in Rome the prejudice and hatred which the Papal government had attempted to excite against the French army, by circulating the fear of violation and pillage, and by accrediting the false opinion, that, under pretence of wishing to revenge a great crime, France speculated upon the conquest of the country, in order to make a shameful traffic of it with other powers; but this sinister impression has been done away by the frank reply of General Bernier to the act of the Roman people. He showed that the French are not merchants of slaves: far from trading in men, they are the deliverers of them. An order has been given to celebrate at Rome the affecting and farewell fate of the brave and ill-fated Duphot.

Grand monuments are about to be erected on the spots where Basseville and Duphot were massacred.

The Roman people themselves proposed a fête of an antique and noble character, dedicated to the glory of the French republic, and which is to take place in the Roman *Forum*, under the triumphal arches of the Emperors Titus and Severus.

You will be satisfied, citizens representatives, with learning, that such great events have taken place without the effusion of blood; that the public treasury, the monuments of the arts, property

erty and persons, have been respected ; and that the discipline of the army of Italy, equal to its valour, has merited the esteem and admiration of the Romans restored to themselves.

The Directory has but one trait to add—

The provisional government of the Roman republic has appointed an ambassador to the French republic. He set off on the 3d Ventose. Oh, citizens representatives! what a feature in the history of the world is the sending to Paris of a minister from the Roman consuls, to thank the French for the generous support given by them to the deliverance of Rome! What soul, however under the influence of apathy, could remain insensible to so glorious a sight? Who can, without transport, hear the recital of the awaking of the Roman people from their slumber? Who could refuse to salute the nascent republic? But, above all, how sublime to bear the title of French citizen, and to see that great people extinguish for ever the thunders of the Vatican, with the same hand that is erecting again, in the Capitol, altars to liberty!

The Executive Directory cannot doubt the effect which this national sentiment will produce upon you, citizens representatives ; and they have reason to believe that you will approve, in a solemn manner, the conduct of the army of Italy.

(Signed)

MERLIN, President.

LAGARDE, Sec. General.

Proclamation of General Berthier, at Rome, on the 27th Pluviose.

THE Roman people are restored to their rights of sovereignty by proclaiming their independence, by assuming the government of ancient Rome, and by constituting the Roman republic.

The general in chief of the French army in Italy declares, in the name of the French republic, that he acknowledges the independent Roman republic, and that it is under the special protection of the French arms.

The general in chief also acknowledges, in the name of the French republic, the provisional government chosen by the Roman people.

All temporal authorities proceeding from the Pope are therefore suppressed, and shall exercise no functions whatever.

The general in chief shall make every disposition necessary to secure the independence of the Roman people, and to perfect the organization of their government, in order that their new laws may be founded on the basis of liberty and equality.

He will adopt every measure calculated to promote the happiness of the Romans.

The

The French general Cervoni is charged with the direction of the police, and providing for the security of the city of Rome; and also with the installation of the new government.

The Roman republic, acknowledged by the French republic, comprehends all the territory which remained under the temporal authority of the Pope after the treaty of Campo Formio.

ALEX. BERTHIER.

Note sent on the 15th Sept. 1797, to the Government of Berne.

Paris, 29 Fructidor (15 Sept.).

THE Executive Directory, convinced that the mission of Mr. Wickham to the Helvetic cantons, has no reference whatever to the respective interests of England and Switzerland, and that his sole object is to excite and further plots against the internal and external security of the French republic, charge Citizen Mingaud to invite and require the government of the canton of Berne, and also the other Helvetic cantons, if necessary, to give directions for Mr. Wickham's immediate departure from the territories of Switzerland.

(Signed)

REVEILLIERE LEPAUX, Pref.
LAGARDE, Sec. Gen.

Reply of the Canton of Berne.

THE republic of Berne, always holding in the highest estimation the good intentions of the French republic, has taken into mature consideration the note transmitted to them by Citizen Mingaud, in the name of the Executive Directory of the French republic.

They have to remark, that, for nearly a century past, British agents or ministers have uniformly resided in Switzerland, and that Mr. Wickham, whose departure from Switzerland is required by the Executive Directory, being accredited to all the states of the Helvetic confederacy as minister plenipotentiary, the republic of Berne cannot decide separately on a subject which so essentially involves the rights of others, and the neutrality of the Helvetic body, as declared and recognised by all the powers now at war.

The government of Berne, always employed in maintaining harmony and good understanding with France and the other bel-ligerent powers, submits the above considerations to the wisdom and good sense of the Executive Directory, assuring the Directory, at the same time, that the government of Berne, in concert with the co-states, will lose no time in coming to a resolution
suitable

suitable to the magnitude of the subject, should the Executive Directory deem it expedient to address itself to this effect, to the laudable Helvetic body.

(Signed)

MORLOT, Chancellor.

Berne, 11th Oct. 1797.

Letter from M. Ochs, Envoy from Basle, to his Constituents.

Magnificent and gracious Lords,

THIS is probably the last time that these antiquated titles shall strike the ears of your excellencies. I cannot dissemble the pleasure I have in renouncing them myself, and in cherishing the hope that the endearing title of citizen is soon to succeed them.

I consider the revolution in Switzerland as completed. The different cantons, their dependencies, and some of their allies, will, I hope, soon form a democratic and representative republic. Threats, boastings, irregular measures, which may be thought ingenious and firm, petty shifts, miserable intrigues, may perhaps retard the crisis, and even render it troublesome: but these means will not prevent the revolution from being carried into effect. The decree is passed. Destiny seems to have declared the end of all degrading aristocracies.

It is honourable for my canton to be the first which gave the example to Switzerland. It will be glorious for it to have commenced partially the general revolution, without anarchy, and without convulsion: if any man, from obstinacy, rash engagements, or from principles of pride or selfishness, be disposed to resist the torrent, to irritate the minds, or to provoke the passions of his fellow-citizens, and to stain the passage from the ancient regimen to the new order of things, let him remove from our frontiers! He will spare himself remorse, and us regret.—I have been informed of the efforts which several worthy magistrates, and a great number of privileged citizens, have continued to make, since my departure, to hasten our particular revolution. Their names shall be ever engraven on my heart; and I greatly rejoice, that in a short time a perfect equality established among us will not permit them any longer to suspect that the sentiments I entertain for them are in the smallest degree connected with the hope of their protection. I am also informed of the rapidity with which our subject states, which, thank Heaven, will soon cease to be so, proceed in the career of their emancipation. They are, as it were, electrified. They have ceased to fear, or to be the dupes of our finest exhortations. They begin to believe that the great nation does not love our aristocracy, that its government is not divided in opinion with respect to us.

They

They are no longer persuaded that a hundred thousand Russians are marching towards the Rhine, or that the cause of oligarchies is the cause of God. They feel that they are men, and recollect that their ancestors and themselves have done every thing for us, and that we have done nothing for them. They have discovered that they want a guarantee for the future, and that this guarantee can only be found in the equality of political rights, a constitution resting on that basis, and, above all, new elections. Our secret council has, indeed, written to me, that our subjects desire to remain as they are; but I cannot easily believe that men of common sense, provided they are free to speak what they think, would seriously manifest the desire of remaining hereditary subjects, and that in a kind of subjection of which there exists not even any example in the monarchies of Europe. Besides, I have received addresses which demonstrate the contrary: they remind me of the opinions which I have always professed, and conjure me to seize, like a real tribune of the people, the favourable opportunities for emancipating the petitioners. I have also been correctly informed of the progress which the minority of the magistrates have successively made, and which for some time seemed to be decisive. I have experienced from this inexpressible joy; but I learn with regret that much valuable time is lost in deputations, commissions, and frivolous concessions, wished to be made with principles: that a mental reservation prevails; that hopes are entertained of continuing in place, and, in a word, that a new influence appears to have arisen from the diet of Aarau; a diet which completely deceived the expectation of every true Swiss as well as foreigners; a diet which, during the three weeks it has been assembled, has set itself against every thing it ought to have performed. Again, and for the last time, I speak to you on the real interests of the country. I tell you, that the light of simple common sense, the force of circumstances, the regeneration of primitive ideas, the public and general good, an infinite number of political considerations, and particularly the principles of eternal justice, impose upon you the duty of acquiescing, without delay, in the wishes of your subjects, and in the councils of the magistrates and citizens who have proved themselves their defenders. Declare, then, by a formal decree,

1st. That there are no longer any subjects.

2d. That each village, burgh, and section of towns, shall form a primary assembly, and immediately elect representatives—one for each fifty persons who have reached the age of twenty-four years.

3d. That these representatives, assembled at Basle, shall form a particular constitution, to remain in force until the sentiments of the other parts of Switzerland be known.

4th.

4th. That they shall establish, in the mean time, while the constitution is preparing, some provisional committees for maintaining order, and managing the present business; and, finally, that each of you charge yourselves to present to those appointed for the above purpose, the act of resignation of all your places, without any reserve whatever.

I am anxious to be before you in this transaction. I declare, therefore, that I renounce every hereditary privilege; that henceforth I consider our subjects as fellow-citizens; and that I am ready to deposit in the hands of the representatives of the people every power, authority, command, presidency for life, or otherwise, with which I am invested. The influence which a declaration so precise may have in the present circumstances, will, perhaps, fill up the measure of the complaint which the aristocracy have been accumulating against me since the 14th of July 1789, expecting the great day of their vengeance. I am not ignorant of their malevolence; but the more the aristocracy hate me, the more I love myself.

(Signed, &c.)

MANIFESTO.

OUR UNION FORMS OUR POWER.

The Citizens of the Country to the Burgeſſes of the Town of Baſſe:

Citizens,

January 18, 1798.

YOU know that the people of the country require their liberty. It is a right which they derive from God and nature. During an age, this right has been a stranger to the country inhabitants of the canton of Baſſe, and we have been obliged to remain silent. We have been compelled to bend our heads under an aristocratic yoke, which the burgeſſes of the town of Baſſe have imposed upon us. How painful this must be to every true Swiss! We well know that your pretended rights are supported by alienations and titles. We know that the town of Baſſe purchased its subjects from ruined princes or fanatical priests: but can you persuade yourselves that the rights of man are alienable? You know as well as we do, that claims and contracts rest solely on the right of the strongest, and on the force of arms, and that such pretensions have no reality but in the power of maintaining them. Your rights are not hereditary: we never subscribed your title-deeds; we never consented to them. We expect that our demand will receive your approbation. You will not oppose a confederation, which has for its only object the general good, and which may even extend the limits of your civil liberty. If some must

must lose, others must gain. Such is the fate of all revolutions; and none ought to refuse the making of slight sacrifices to procure important advantages. We know the secret of revolutions as well as the force of arms: we know the means of propagating our principles—we leave you to think the rest. For ages it has been our only wish to defend our country, at the expense of our blood—be not astonished, then, that we seek our liberty at the same price. Such is the manifesto which we address to you, and to all the universe. It depends only on you to favour the success of our enterprise. Reflect on the spirit of the times, and you will be convinced that an imprudent resistance will occasion more violent means to be used, and excavate the abyss which must swallow up our unhappy commune.

Declaration of the Sovereign Council of Berne, on the 31st January 1798.

WE being assembled this day, upon oath, to deliberate upon the measures to be taken for the safety of the country, have personally bound ourselves by a solemn oath, and have firmly resolved to defend the country at the price of our property and our blood, to the last extremity, and with all our power against any enemy whatever, and to employ to that end all the means dependent upon us, in concert with our dear and faithful burghers.

Message of the Executive Directory to the Council of Five Hundred, on the 9th Pluviose (Feb. 5).

Citizens Representatives,

THE Helvetic oligarchy, which, since the commencement of the revolution, has taken so active a part in all the secret machinations against liberty, and in all the plots formed for the destruction of the French republic, has now filled up the measure of its crimes by violating, in the persons of several of our brave brethren in arms, the most sacred laws of the right of nations. The Executive Directory, in conformity with the 328th article of the constitution, must acquaint you with every thing that has passed, and with the measures it has taken. The people of the Pays de Vaud, detached from Savoy in 1530, have for a long time groaned under the despotism of the governments of Berne and Fribourg. That country, originally dismembered from France, formed under the Savoisan government a separate province, governed by the states, in concert with a ducal bailiff, whose prerogatives were circumscribed by constitutional laws. These laws, even in 1530, were despised and trod under foot by

the patricians of Berne and Fribourg. In 1544, the Duke of Savoy renounced all pretensions to that country, but he formally stipulated that its constitution should be preserved; and on the 26th of April 1565, the French government constituted itself guarantee of this treaty, and consequently of the political rights of the Pays de Vaud. It is well known with how little delicacy the governments of Berne and Fribourg constantly violated the social contract formed between them and the Vaudois, by these new treaties. The Vaudois, at different periods, remonstrated against that oppression to which they were victims; but force for a long time imposed silence on the multitude, and those among them who displayed more courage than the rest were proscribed. One of these was the brave General Laharpe, who, adopted by the French republic, became one of its most intrepid defenders, and sealed with his blood, in the plains of Italy, the attachment which he had sworn to it. Liberty, however, was supported in the Pays de Vaud by numerous and strenuous friends, who at length determined to claim the protection due to them from the republic in virtue of the treaties of 1564 and 1565, both as the substitute of the *ci-devant* Duke of Savoy, and as replacing the ancient French government. Scarcely was the report of this claim spread abroad, when malevolence endeavoured to lay hold of it, and to insinuate in a public journal, that the Pays de Vaud, as a reward for its attachment to liberty, was to be detached from Switzerland, and incorporated with France. These insinuations, which ascribed to the French republic views of invasion contrary to its good faith, had evidently no other object than to alarm the Vaudois respecting the consequences of those steps which they might take for the recovery of their ancient rights. The Executive Directory took the first opportunity, therefore, of proving the falsity of them by a decree of the 27th Frimaire, which prohibited the journal that contained them, and by notifying what it had done to all the Helvetic cantons. On the 8th Nivose following, the minister of foreign affairs gave an account to the Executive Directory of the claims which had been addressed to it, for re-establishing the Vaudois in the political rights hitherto guaranteed to them in vain by the treaties of 1564 and 1565; and the Directory the same day passed a decree, charging the minister of the republic to the Helvetic cantons, to declare to the governments of Berne and Fribourg, that the members of these governments should be personally answerable for the individual safety and property of the inhabitants of the Pays de Vaud, who should or might in future address themselves to the French republic, to obtain by it its mediation to be maintained or reinstated in all their rights, according to ancient treaties. This determination was the more urgent, since the government of Berne, as it has itself acknowledged by its answer to an official

cial remonstrance made to it by the Directory through its diplomatic agent, had already ordered a levy of militia to march against the French troops assembled in some places of the department of Mont-Terrible, and had even caused to be arrested the deputies of those communes who had refused to take up arms against the republic. The government of Berne had even proceeded farther. It had publicly enrolled emigrants, and given shelter to French requisitionaries and deserters; and it did not dissemble its design of employing them to suppress by force the claims of the inhabitants of the Pays de Vaud, and to direct them against the republic. These hostile dispositions were a sufficient warning to the Directory to take proper precautions. Orders were given for a division of the army of Italy, which had acquired so many laurels under General Massena, to march on its way to France through Carouge, in order that it might proceed thence to the departments of l'Ain, Jura, and Doubs, for the purpose of watching the motions of the troops of Berne and Fribourg, and to be always prepared to repel every aggression. The event justified this precaution: on the 28th Nivose last, the general commanding at Carouge was informed by an official dispatch from the committee of Nyon, invested with full powers by the council of that town, that fourteen battalions, with the necessary artillery, were about to set out from Berne, against the country of the Pays de Vaud; and that, over and above, levies of troops were privately ordered in all the villages on the frontiers of that country, contrary to the positive promise which had been made to that committee. Immediately after this notice, the division under General Massena arrived. Menard, general of brigade, who commanded in the absence of the general of division, informed the Executive Directory, by a dispatch of the 8th Pluviose, that there could be no doubt respecting the movements made by the cantons of Berne and Fribourg to silence the claims of the Pays de Vaud; and that General de Weifs, invested with full powers from these cantons, under the title of commander in chief of the troops of Berne and Fribourg in the Pays de Vaud, had established his head-quarters at Yverdon, and was on the point of committing hostilities. The same day General Menard, agreeably to the instructions which he had received from the Executive Directory, sent a summons to General Weifs to draw off his troops, and to leave to the inhabitants of the Pays de Vaud the free exercise of their rights, claims, and applications, declaring, at the same time, that, in case of a refusal, he should be obliged to repel force by force, to put an end to resistance, and to pursue the authors of it. General Menard charged his aid-de-camp, Citizen Autier, to carry this summons to General Weifs, at Yverdon, and the aid-de-camp was accompanied by two hussars, whom the patriots of

Moudon thought proper, when they passed through that town, to reinforce with an escort of two Vaudois dragoons. At the distance of two leagues from Yverdon, this officer being in a carriage, and consequently not in a state of aggression or even of defence, was suddenly attacked by a post of troops belonging to Berne. The two hussars who attended him immediately fell, bored through with balls; one of the Vaudois was wounded, his horse was killed under him, and Citizen Autier himself was saved merely by a kind of prodigy. On his return to Moudon, Aid-de-camp Autier found all the militia called out, and under arms. Being informed of the attempt made against him, they flew to his assistance, and, with flambeaux in their hands, swore that they would set fire to the village which had been the theatre of this horrid attack. Citizen Autier used his utmost endeavours to check their vengeance, which might have involved the innocent with the guilty; and fortunately the conflagration, at first announced as already effected, was not carried into execution. The militia of Moudon and Lausanne united themselves to drive from the village of Thieran the troops which had been guilty of the assassination. General Menard, when informed of these horrid crimes which had been committed, could not be ignorant of the real cause. The troops of Berne did not challenge the escort of his aid-de-camp; they had not come out for the purpose of reconnoitring; they knew besides that he was to pass, because the horses had been ordered eight hours before. The open intention of assassinating an envoy of the French republic could not then be doubted. General Menard thought himself therefore obliged to cause his division to march, and next morning it entered the Pays de Vaud, preceded by a proclamation to the inhabitants, a copy of which is hereto annexed. The troops of Berne and Fribourg have on their part entirely evacuated the Pays de Vaud. The Vaudois militia, already very numerous, well organized, and commanded by able officers, are preparing to pursue them, and it appears that at this moment they threaten even Berne itself. The French troops have remained in the Pays de Vaud.

Such, citizens representatives, was the state of things when the last dispatches were sent off for the Executive Directory; but we are assured that events have since taken place which may render unnecessary those hostile measures which national honour and the rights of nations so atrociously violated, might, without doubt, require, on the part of the French republic, against the governments of Berne and Fribourg. The Executive Directory considers it therefore to be its duty to confine itself at present to a simple relation of the above facts.

(Signed)

BARRAS, President.

LAGARDE, Sec. Gen.

The

The Minister of the French Republic to the People of Switzerland.

30 Pluviose (Feb. 18).

THE patriots of the canton of Lucerne and of all Switzerland will see, by the note of the French minister to the state of Berne, a copy of which is hereunto subjoined, the moderation of the demands, and the benevolent intentions of the French republic. They will be convinced of the necessity of causing the measures therein pointed out to be adopted in their respective cantons. These bases once established, without which the promises of governments are nothing but empty and perfidious words, it becomes necessary immediately to enlighten the inhabitants, and to give them the most convincing proofs that the military dispositions of France are only intended to act hostilely against the senators who oppose the emancipation of the people, and particularly against those of the senate of Berne who have been purchased by the gold of England—Declare that it is false, that when the government shall be established on the principles of the French revolution, the latter power will interfere in the affairs of Switzerland—It will not, unless usurpers of the sovereignty of the people endeavour to rivet their present chains, or to forge new ones. Finally, state that all enlightened patriots are well persuaded of this; in order that honest and simple men may be more readily convinced,

1st. That France, as is guaranteed by my correspondence with the Helvetic states, entertains no plan of dismembering the country.

2d. That the present proceedings have no other object than to overthrow a vicious and corrupt government, and to substitute in its stead, one more conformable to that of the French and Cisalpine republics, whose existence, safety, and tranquillity, will always be exposed so long as Switzerland shall remain under the despotism of a handful of avaricious magistrates, without spirit and without honour, and always ready to sell themselves to the enemies of France, as has evidently appeared ever since the commencement of the French revolution.

After these assurances, it would be ridiculous to refute the stupid assertions of the bailiffs, and other agents, interested in the tyranny which oppresses and degrades Switzerland, either with regard to the pretended plan for overthrowing religion, or the intention of putting the inhabitants in requisition to march against England. As to what concerns the particular crimes of which the aristocracy accuse the French beforehand, such as assassination, burning and pillage, it may be replied,

1st. That the French army has not yet taken vengeance for the assassinations committed by the orders of Colonel Weifs, general of the troops of Berne, upon the attendants of Citizen Autier,

Autier, adjutant and envoy from General Menard—two of his hussars being killed by his side.

2d. That the agents of the government of Berne set fire to a house at Arau, under the eyes of the minister of France, in order, by that means, to facilitate, by surprise, the entry of their satellites into the town, where, under the pretext of extinguishing the fire, they wished to occasion a disturbance, during which the French minister and the patriots of Arau might have been murdered.

3d. That the same magnificent lords of Berne animate the courage of their feeble militia only by the thirst of pillage, as may be easily discovered by the robberies they commit upon the property of the citizens of Arau; and farther, by the dispositions of the people of the country, whom they excite to fury by the hope of booty.

I invite all the friends of liberty and equality to open the eyes of their fellow-citizens, by giving the greatest publicity to this note, and also to that inclosing the propositions addressed by me to the state of Berne.

J. MENGAUD.

Note addressed to the State of Berne, through the Channel of its Deputation at Basle, February 13, 1798.

THE minister of the French republic, to prove the good disposition and integrity of his government, transmits to the state of Berne a note, pointing out the measures necessary to be taken for its own safety and that of Switzerland. The French government will be the less willing to secede from these propositions, as they agree with those brought forward by the state of Berne itself on the 3d February.

If the state of Berne be disposed to prove effectually that it is desirous of an order of things founded on principles of liberty and equality, it is necessary,

1. That it should dismiss its ancient magistrates, and suppress its secret council and council of war.

2. Until a new form of government shall be organized, a provisional one, founded on democratic principles, and in which none of the members of the ancient government shall be admitted, shall be established.

3. The liberty of the press shall be immediately established.

4. All persons, Swiss or others, prosecuted on account of their political opinions, or of their refusal to march against the French, shall be indemnified; and, besides this, particular satisfaction shall be made to the citizens of the town of Arau, for the vexations they have experienced.

The

The French government, by this explanation, prove how little disposed they are to hostility and aggrandisement. The state of Berne, on its part, will, doubtless, hasten to return a speedy and positive answer.

(Signed)

MENGAUD.

Declaration of the Canton of Lucerne to Citizen Mengaud.

Feb. 22.

LUCERNE, as well as the rest of Switzerland, has ever been anxious for peace, and at present entertains the same sentiments. If the Directory had any cause of complaint against the ancient governments of Switzerland, that reason no longer exists to authorize hostilities. If then *any one canton were to be attacked, the attack would be made on all Switzerland, and all Switzerland would rise in arms, and would wage a national war*; for now every inhabitant would fight for his country, for his personal safety and property, which they consider as threatened with a hostile attack. France, by such a conduct, would alienate from her the whole of Europe. In this contest she might reap a military glory which she does not want, but she *would gain no honour*. She would have to dread a coalition of public opinion, which might become more dangerous to her than the coalition of the cabinets of Europe which she has overcome, because then she had public opinion in her favour. France might render Switzerland miserable for generations, and she would ultimately gain nothing but shame, danger, and disaster, both in her own interior, and in the Cisalpine and Batavian republics.

Substance of the Declaration of the French General Menard to Colonel de Weifs.*

THAT if he does not disband his troops, and instantly discontinue his levies, which have no other object but to restrain the wishes of the people, he will regard their continuance as an act of hostility; and that in default of a categorical and satisfactory answer, he will enter, without delay, into the Pays de Vaud, to rescue it from the civil war which the enemies of humanity would endeavour to foment there.

* The colonel, with a view of resisting the French, had retired with the force under his command, to Yverdon, and attempted to raise levies on account of the senate of Berne.

Form of the Oath taken by the Inhabitants of Zurich on the 22d February.

WE swear to establish for ourselves a constitution without the intervention of foreign powers, which shall have for its basis religion and virtue, and which shall lay the foundation of liberty and equality upon the rights of the state and of citizens, and consequently the sovereignty of the people, by which we shall be able to remain Swiss confederated and independent, and which shall guarantee to us the observance of the laws, the security of persons and property, public and private.

Decree published on the 2d of March by the Sovereign Council of the State of Soleure.

WE, the avoyer, great and little councils and deputies of the towns and country of the republic of Soleure, make known by these presents, that the representatives of the people assembled in our presence, according to the tenour of their instructions, have insisted that the ancient form of government should be maintained in all its parts; nevertheless, after maturely reflecting on the circumstances of the present crisis, and from paternal solicitude for the welfare and tranquillity of the state, we have come to the resolution of effecting such alterations in the present form of our government as shall introduce an equality of rights between the inhabitants of the towns and those of the communes.

I. Above all, we have taken, in the presence of Almighty God, a solemn oath to maintain inviolate our holy religion, as it has been transmitted to us by our forefathers; to defend it at the risk of our property and life, and to live and die faithful to its principles.

II. That we will defend, to the last man, against all enemies whatsoever, that precious jewel of liberty and independence which our ancestors purchased for us with their blood; and that, acting in the character of free Swiss, we will never separate ourselves from the Helvetic confederacy; but, on the contrary, we will religiously fulfil all the duties which we have contracted in virtue of existing alliances.

III. We will decree and ordain, that henceforth every citizen shall enjoy the right of being eligible to all the offices of government and public administration; and that the distinction which hitherto prevailed among the burgesses of the commune of this town shall henceforth cease.

IV. We further ordain, that a perfect equality shall take place between the citizens of the towns and country, in respect

to the government and the right of representation ; that, consequently, the government shall be in close union with the people ; and that the burgeses of the commune of this town and those of the country communes shall participate equally in the legislative power, by means of representatives freely chosen by themselves.

V. That it shall exclusively belong to the legislative power so constituted, to declare war, make peace, enter into treaties or alliances, enact laws civil or criminal, impose general contributions, determine the constitution and form of government, and to confer, or confirm, all appointments to public offices.

VI. Our constitution will thus be founded on the basis of equality, and form a democratic representation. A commission specially appointed for the purpose, in concert with the representatives of the towns and communes, will forthwith enter on the task of digesting and perfecting the new constitution.

VII. Nevertheless, we ordain that, in the interval, the government hitherto established shall continue to exist provisionally ; that it shall be every where respected, and remain in force until the formal acceptance and establishment of the new constitution. Finally, that persons and property, public and private, that of the state and of the communes, shall be placed under the protection of the laws, declared inviolable, and held sacred.

To the High and Mighty Lords, the Avoyer and Privy Council of the City and Republic of Berne.

High and Mighty Lords, *Frankfort, Nov. 22d, 1797.*

ALTHOUGH your Lordships gave me no notification of the demand which the Executive Directory of France have made to you, relative to my mission, I could not be ignorant of what was notorious throughout Switzerland, and I thought it my duty to communicate it to my court, informing it, at the same time, of the insulting manner in which it was transmitted to you.

The King sees, in all this proceeding, which attacks equally the rights of nations and your ancient dignity and independence, the treacherous intention of breaking the ties which have at all times attached him to your states, and the project formed to sap the very foundations of the Helvetic union.

Persuaded of this truth, his Majesty, who, by sending his minister to Switzerland, meant to give a proof of his good-will and friendship towards your states, will not permit the continuation of his residence in your dominions to afford a pretext to the hostile projects of a neighbour, whose ambition respects neither justice nor the rights of sovereignty, and who are only endeavouring to extend to your happy countries a destructive system,

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from which, by the assistance of Divine Providence, you have been able, hitherto, to protect yourselves. The King has, in consequence, ordered his whole embassy to withdraw from the Helvetic territory without delay.

In communicating this resolution to your Lordships, the King orders me to assure you that it is dictated only by his extreme solicitude for the preservation of your tranquillity, and that your Lordships may depend upon the continuation of the good-will and friendship which have always directed his Majesty in his intercourse with your state.

I seize eagerly this opportunity, high and mighty Lords, to express my own full sense of the gracious manner in which I have been treated by your Lordships, and my regret at being no longer the organ of my sovereign's sentiments to you.

Permit me, high and mighty Lords, to express to your government in particular my sincere acknowledgments for all the goodness you have heaped upon me during my residence in your city.

Wherever I may be, I shall never cease praying for your prosperity, and that, by the assistance of the Almighty, your nation may continue to enjoy, under your wise government, the inestimable advantages you have hitherto been able to give it.

I have the honour to be, &c.

(Signed)

WM. WICKHAM.

PEACE AND SAFETY TO ALL HIS FRIENDS.

Mengaud, Commissary of the Executive Directory, to the Inhabitants of all the Countries not yet occupied by the French Republic, Dependencies upon the old Bishopric of Basle, on the left Bank of the Rhine.

Citizens,

THE union of a part of the old principality of Porrentruy, equally decided the incorporation of your countries with the French republic.

This proceeding of France is that of a free people, substituted to the rights of the government, against nature, which weighs you down. And in as much as the exercise of those rights, become ours, did not take place sooner, by purging them of all that is incompatible with the dignity of man, it does not follow that we have forgotten that you are still in chains. We come to break them.

Happier than your fathers, whose blood flowed in the wars which laid the foundation of the different kinds of government in Switzerland, and which have only bequeathed you a burdensome
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and degrading existence, you are at length going to enjoy the blessings of Providence, who only created men to make them members of one and the same family.

You knew nothing but tithes, *corvées*, &c. You had only priests, nobles, and privileged persons: your trades, your industry, your arts, in short your very subsistence, all bore the stamp of the sacerdotal despotism so dexterously combined with a no less odious tyranny. Now, you are men: liberty and equality will no longer permit among you any other distinction than that of merit, talents, and virtue. Called all indiscriminately to the helm of the society, in the support and safety of which you are all equally interested, your subsistence will, in future, be secure, the granaries of the French republic being the property of all its children. Your trade, encouraged within, protected without, will no longer be shackled. Industry, the arts, agriculture, will receive encouragements to be expected only from a nation victorious, free, powerful, and generous, enlightened on the nature of rights, and on the manner of exercising them.

Learn to appreciate these advantages, and merit them, by turning a deaf ear to the interested and treacherous insinuations of the evil-minded and of fools, who endeavour to sink the value of them in your eyes, and to mislead you.

We come among you as friends. We are your brothers. Do not be afraid of any ill treatment. Properties and persons shall be protected, as much as the enemies of liberty shall be made to suffer. The most exact and strict discipline shall be observed by the warriors, who have never had, nor ever will have, any other enemies than those of liberty. Such are the orders of the Executive Directory.

MENGAUD,
Commissioner of the Executive Directory.

The Deputies of the Bernese People to their Fellow-citizens.

WHEN, some days ago, we were called by your meetings to sit in the midst of the government, you justly hoped that great advantages would result from it, and that the closer union of the citizens of the state would be the true means of protecting us successfully against the dangers that were every moment increasing, and more and more threatening our country. Your hope will not be disappointed, dear fellow-citizens; and though in so short a time it has not yet been possible for us to remove your fears upon the arrangements without, we have, nevertheless, taken a great step towards the triumph which we should desire; that is, by having increased our strength by a union most wise and most necessary. As a thousand little streams running by them-

themselves, and which, by a happy inclination, fall into one channel, form a powerful and majestic river ; so are we going to become a striking and formidable mass, whose courage and assurance of a good cause cannot fail to obtain success.

Man is designed to improve his state ; it is one of the great blessings attached to his nature. All the human dispositions should make a progress according to circumstances ; but the most important of all is the union of men under laws and government, which we call the state.

The edifice of our constitution, existing for ages, its very antiquity would be a respectable testimony in its favour, even if we had not a still more perfect proof in the general prosperity which the nation has enjoyed to the present time under its influence. However, as nothing which is the work of man can be perfect, our government, perhaps, has need of some reforms ; and the fathers of the country have been long occupied in the means of effecting them without shocks and without agitations ; for nothing is more dangerous than to touch, though ever so slightly, the constitutional laws of a state. It seemed therefore that the present moment was not proper for this great work, and surely it might have produced much more valuable advantages had it been possible to delay it till happier times. Nevertheless, confess it, dear fellow-citizens, a strong desire of innovation has appeared on your part. This wish was that of a small number, it is true ; but it was imprudent, if it came from yourselves ; it was incompatible with that noble pride which ought to animate a free people, if it was the result of a foreign impulse.

It was to satisfy your views, that, as soon as we had taken our places in the assembly of the government, alterations were proposed to us which appeared useful to the general good of the country, and suitable to circumstances. We have supported those propositions with firmness, as you entrusted to us the care of co-operating as we should judge necessary for the safety of the country.

If it be true that our constitution was not exempt from abuses, which human weakness renders almost inseparable from governments, how many have already disappeared through the wisdom and prudence of the administration ? Did we not possess, in the fullest extent it could have, the security of persons and property, the two most precious advantages of civil society ? Can the administration be accused of a single deviation from justice ? Can the members of our government be reproached with the least inclination that could look like corruption ? Could the treasures of the state be administered with stricter responsibility, with greater economy ? And if the fertility of a parched and rocky soil, if the prosperity of a loyal nation, that has preserved the ancient purity of its manners, be the most certain proofs of the
goodness

goodness of its government, is it not yourselves who render this glorious testimony to the supreme power? Woe be to you, if ever you can forget it!

And, furthermore, the rights which in future you will enjoy, have not been demanded, but freely granted: for the wish of the majority had not yet appeared among you. It remains for you, dear fellow-citizens, to render yourselves worthy of these blessings. If liberty be the greatest blessing to the people, the basis which secures it ought to be so much the more sacred; there is nothing great or sublime which may not be yet effected under its auspices; but a good constitution can only be the effect of profound discernment, and the result of tranquil labour, directed by wisdom and experience. If, on the contrary, it be hurried by the heat of the passions, it is stifled in its birth. The elevation of such an edifice is the work of time, by which alone every thing is matured. To begin by demolishing what gives us a sure shelter, would be to expose ourselves naked to the violence of a tempest. When a lowering storm gathers on the horizon, the pilot who has a sense of his duty stands more stoutly at the helm, but still keeps his sails spread, the sooner to bring his ship to an anchor.

The welfare of your country, dear brothers, your own, and that of your children, is in your hands. Your wishes are now satisfied. All that could be granted consistently with the general good, has been granted. Whoever at this time should dare to require more, could only do so from selfish views, and not for his country; his object could only be to destroy, not to preserve it. We have but a choice between two things: either an entire obedience to the law and supreme power, which alone can save our threatened state; or the overflow of all the wild and ungovernable passions, the ruin of a flourishing country, the annihilation of public prosperity, the havoc occasioned by the corruption of morals; in short, a view of the most frightful disasters and misfortunes for us and our generation. Who should dare to doubt our resolution? Yes, dear fellow-citizens! you have honoured us with your confidence; you have imposed upon us the task, exceedingly grateful to our hearts, of supporting your dearest rights and interests. It is for you then, it is in your name, it is from the bottom of your hearts, that we swear to save the country; and you cannot belie us.

If this act of union, which we this day announce to you, were not enough to disarm all our enemies and annihilate their designs; if there be one yet remaining who would impose laws upon us, violate the sanctuary of our liberty, and, in fine, render useless the wise reforms we have been making in our constitution; then the country will summon her children; they will assemble, they will press round her; and if you should have the misfortune

fortune to be forced to fight, the thorough knowledge you have of your cause will support your courage, while it ensures your success. The solemn assurance of your rights will be the standard round which you will form an impenetrable wall; it will be the banner you will carry against a powerful enemy, who thenceforth will no longer be to be feared by you: we will place ourselves beside you, and in the first ranks; it will wave, bleeding in the air, but we will never desert it; we will bring it back with us, or never more return ourselves; and, if pushed to extremity, we are resolved to die, but in such a manner as to recall to the remembrance of posterity the glorious name of our ancestors. We will bury ourselves under the ruins of our country, rather than bow our heads under an ignominious yoke. We may cease to be, but our honour must never be annihilated.

Berne, February 5th, 1798.

Address of the Government and People of Berne to the Executive Directory of the French Republic, dated Feb. 7.

Citizens Directors,

PERMIT the people of Berne, closely united to their government, to lay before you, with that frankness which becomes them towards a great nation, their sincere dispositions relative to their present situation with respect to the French government. This people, accustomed at all times to recognise a well-disposed neighbour in the French nation, to which, for many centuries, they have given the most unequivocal proofs of the sincerest friendship, could not see, without regret, any alteration in so happy an alliance.

Animated with the most sincere and upright sentiments, this people, now united to their government, regard it as a most sacred duty to declare to you, Citizens Directors, that they ardently desire peace and good neighbourhood, which they have always endeavoured to maintain; and that, where any difficulties arise between the French nation and their own, they are ready to smooth and remove them, as far as can be effected, without compromising the independence of a free people, who are firmly resolved to maintain and defend that independence to the last drop of their blood.

Full of confidence in the justice of this demand on the part of a people attached to their liberty, we promise ourselves, from your justice, a prompt and satisfactory answer; and, in this case, we assure ourselves that you will withdraw your troops from our frontiers—upon which our people, who have taken up arms only in their own defence, will voluntarily lay them down.

We

We take the liberty, Citizens Directors, to renew our request of a prompt answer ; and we entreat you to rely on the sincerity of our respectful devotion towards you and the French nation.

Citizens Directors,
Your very affectionate,
THE GOVERNMENT AND UNITED PEOPLE
OF THE REPUBLIC OF BERNE.

Letter from General Schauenbourg, Commander in Chief of the Army of Erguel, to Citizen Mengaud, Minister from the French Republic to the Helvetic Cantons in Basle.

Soleure, 12 Ventose (March 2).

I HASTEN, citizen minister, to inform you, that I this morning attacked and took the village of Longnau. From that place hither every thing has been forced to yield to the arms of the great nation. Eight pieces of artillery, with ammunition-wagons, and 200 prisoners, fell into our hands. Among the prisoners are several staff officers. I summoned Soleure about ten in the morning, and in half an hour the gates were opened to me. I have the honour to send you a copy of the summons. I directly hastened to set the arrested patriots at liberty, and have taken every necessary measure to make the arms of our brave warriors triumph through the whole canton, and secure the empire of that freedom, which constitutes the happiness of a people. I shall have the honour to give you an account of every further proceeding, that you may transmit it to the Directory. Health and fraternity.

(Signed) SCHAUBENBOURG.

P. S. The arsenal and the artillery on the walls are in our possession.

Copy of the Summons to the General in Command at Soleure.

General,

THE Directory has commanded me to take possession of the town of Soleure ; adding, that if the least opposition is made, or a single drop of French blood spilt, the members of the government of Soleure shall answer it with their lives and property. Inform the members of your government of the will of the Directory, and open your gates to the republican troops. I give you half an hour to resolve in ; when this has elapsed, in case of resistance, I shall fire upon the town, and put the garrison to the sword.

(Signed) SCHAUBENBOURG.

Letter

*Letter from General Brune, Commander in Chief of the French Army
in Helvetia, to the Executive Directory.*

Head Quarters at Berne, 17 Ventose

Citizens Directors,

(March 7).

BERNE is subdued. It was entered the day before yesterday, at one in the afternoon, by the troops of the republic. General Schauenbourg preceded by about an hour the column under the command of General Pigeon, who after gaining a signal victory at Neveneck on the Saufen, pursued the remainder of the fanatic bands of oligarchy, even to the gates of Berne. On the 11th I had made every necessary disposition, and General Schauenbourg had received orders to direct his movement against Berne by Solleure. The latter surrendered at twelve in the forenoon on being summoned. The same day the environs of Fribourg had been occupied at three in the morning. The city being summoned, an answer was returned by the magistrates, that they were disposed to surrender, but that some hours were necessary in order that the evacuation on the part of the Bernese and armed peasants might be effected without disorder. General Pigeon granted two hours; but soon after, the sound of the toclin was heard in different villages, and a multitude of peasants who came to reinforce the garrison, were seen entering the town by a gate opposite to the points of attack. A new summons was then sent, upon which some of the citizens and magistrates came to say, that they were overawed by the peasants, and were no longer free in their deliberations. The republican soldiers, full of ardour, demanded with loud cries the order of an assault. Some shells were thrown into the city, and a few slight breaches were made. Ten or twelve intrepid soldiers, at the head of whom was Citizen Barbe, sergeant of the 18th demi-brigade, climbed to the top of the ramparts, and threw themselves into the town, while others penetrated into a gate half demolished. The one thousand five hundred Bernese, and four or five thousand Bernese who composed the force of Fribourg, had retired with precipitation with their cannon and arms into the arsenal. The cannon were taken during the pursuit, and a great many muskets were picked up by the way and in the streets. I have made the brave Sergeant Barbe a sub-lieutenant. No excess has been committed; discipline was observed with as much strictness as if the city had been taken only by capitulation. The aristocratic government has been destroyed, and replaced by a provincial government, composed of men chosen by the *bannieres*, or sections. The affair of Fribourg cost the enemy more than 400 men, and a great number of wounded. I sent back the prisoners: these unhappy persons wept for joy. To facilitate the taking of Fribourg, and second the operations under General Pigeon, I caused an alarm to be given at Morat. The Bernese evacuated

evacuated that town in the evening of the 12th: the 13th was spent in observation and marching. In the evening of the 14th, the column of General Rampen showed itself towards Gumine, as if about to attack that famous passage, which the enemy had planted very strongly with batteries. Another body made a threatening movement towards Laupen. At the same time the column of Pigeon attacked towards Saufen the passage of Neveneck. At four in the morning of the 15th, this passage was forced, and the camp of the enemy carried, after an action which lasted almost five hours, and in which the enemy displayed the utmost obstinacy. On that occasion the 18th demi-brigade of heavy infantry, and the 2d of light infantry, distinguished themselves very much. The enemy had more than 800 men killed, and 3000 were made prisoners. We took from them seven pair of colours, and 20 pieces of cannon were carried by the bayonet. This victory cost us a great number of wounded, and some killed. Among these is Citizen Barbe, whom I had made a sub-lieutenant. This brave young man was the first who presented himself at the bridge of Neveneck, where he was cut in two by a cannon ball. Fugiere, chef de brigade; Dumoulin, chef de bataillon, who, at the entry of Fribourg, had his horse killed under him; Captains Largier and Charlat, Sergeant Tioche, and several others, distinguished themselves that day. The enemy, who by their defeat at Neveneck had been left uncovered, retired with a part of their forces to Gumine, in order to defend Berne. General Rampen with great ability took advantage of this circumstance: his column occupied the bridge, and he made himself master of the first batteries; the rest were abandoned by the enemy, who were much discouraged by intelligence being received that Berne was in our possession. The fugitives were sharply pursued. The road was covered with muskets, for the most part broken, cannons, mortars, howitzers, and carriages, in very good condition: we found also a quantity of corn and fodder. During the contest at Neveneck, a rebellion broke out in the Pays de Vaud, near Yverdon. The rebels were commanded by some Bernese officers and emigrants, who had sent them two pieces of cannon by the lake of Neuchâtel. These auxiliaries of the oligarchy were beat by a detachment composed in part of the Vaudois volunteers, who took from them their two pieces of cannon. The dispersed militia are still committing some excesses in the country. The country of Oberland and the environs of Arberg have afforded a retreat to the obstinate, who still talk of resistance. In my opinion, it will be sufficient to send a reconnoitring party thither, to reduce them to obedience. I have not sent you any details respecting the operations of General Schauenbourg, as you will find them in the report which he transmitted to you by Ruby, chef de brigade. This officer distinguished himself at the head of the 89th demi-brigade of

heavy infantry. The legion *des Francs*, at present the 14th light infantry, showed also, in Schauenbourg's corps, much ardour and intrepidity in the attack and pursuit of the Bernese militia. The staffs of the armies of the Rhine, and of Italy, joined here yesterday in a civic repast. Among the toasts given were, The Executive Directory, The glory of republican armies, The Helvetic army, Destruction to England, Peace to the world. The fraternal kiss was mutually given and received. Health and fraternity.

(Signed) BRUNN.

P. S. Citizen Suchet, chef de brigade of the 18th, sets out with Citizen Ruby to carry you twenty-five pair of colours taken at Fribourg, Nevenack, Gumine, and in the march of General Schauenbourg from Bienne to Berne. Citizen Suchet has shown in this expedition, zeal, bravery, and talents, on which I must bestow the highest praise.

Official Letters to the Directory.

Citizens Directors, *Bienne, 21 Ventose (Mar. 11), 6th Year.*

THE Bernese have just been beaten, and it was themselves who provoked hostilities. At seven o'clock last night an officer came with a parley to Adjutant-general Freffinet, chief of the staff of the right wing of the army of Erguel. He delivered to him a dispatch from Colonel de Gros, commander in chief of the Bernese army at Niddau, conceived in the following terms:

"I inform you, that unless some unforeseen change should take place, hostilities will commence this evening. Order therefore your sentries, which are within reach of my cannon charged with grape, to retire. I do not at all understand this military disposition."

The Adjutant-general Freffinet detained the officer, and sent a dispatch to General Schauenbourg. In the mean time a second letter was received from Colonel de Gros, in which he stated that he did not mean to commence hostilities: to this General Freffinet answered:

"Sir,

"Your officer yet waits the answer of the commander in chief, but he will return to you before the hour you have fixed upon for the commencement of hostilities, namely, ten o'clock. When that moment is arrived, you are at liberty to employ all your forces. The French republicans await you with that courage which characterizes them."

General Freffinet, who had no orders to commence an attack, formed a line of battle before Bienne, and from Bonsau by Niddau along

along the Lake of Bienné: He remained upon the defensive until a Bernese post, advancing from the villages situate at the bottom of the Lake, commenced the attack, and had the cowardice to make a furious charge upon a French post of four men, who were at Vigneule, a lordship belonging to Bienné, without embarrassing themselves with the custom generally observed between soldiers at the commencement of a war. The Adjutant-general Fressinet, quickly informed of this attack, and of the motions of the enemy, turned the villages of Diefle and Orvin, to take them in the rear at Evillard or Bonjeau: he sent a reinforcement to the post of Vigneule, whilst one company advanced from Bienné by Evillard, to fall upon the enemy's flank. This manœuvre had complete success. The French, inferior in numbers, but accustomed to conquer, gathered fresh laurels. The Bernese at first fought bravely, and their arquebusers killed many of our people; but in a short time, astonished at the rapidity of our movements, they lost that *sang froid* which ensures victory; attacked suddenly with the bayonet, *au pas de charge*; they were completely broken, and retreated precipitately down the mountain to gain their boats: but this resource they were deprived of by the fire of a platoon of the brave grenadiers of the 38th demi-brigade, who pursued them from the heights to within a very short distance of the banks.

General Schauenbourg this morning, at half past three o'clock, attacked the post of Lengnau, and, after having forced it, continued his victorious march against Soleure. The loss of the enemy in this first affair consists in four pieces of cannon, a great number of killed, wounded, and prisoners: among the latter are three Bernese officers. Ours is inconsiderable: we have to regret the loss of some brave men, but they fell covered with glory, and we entertain hopes of terminating in a few days the scandalous struggle of the tyrannic oligarchy of the Swiss Patricians against the liberty of the descendants of William Tell. The Adjutant-general Fressinet contributed greatly by his activity, his *sang froid*, and his good dispositions, to the success of this day. Health and respect.

(Signed) LIOMIN.

Letters from General de Division Schauenbourg, to the Executive Directory.

Berne, 17 Ventose, 6th Year (March 10, 1798).

Citizens Directors,

I INFORMED you in my last dispatch, dated from Soleure, that I was going to march against Berne with a considerable body of forces. On the 14th, after joining to the main body the five battalions commanded by Adjutant-general Bonami, I extended the

the advanced guard as far as Schahinen, posted the 16th demi-brigade of light infantry as an intermediate body at Delterchingen, and my main body at Lhofne. At five in the morning of the 15th, we began our march, and fell in with the enemy in a wood behind Schahinen, where a severe firing took place between the 14th demi-brigade of light infantry, and the Bernese troops, who were provided with cannon. I immediately ordered two pieces of artillery and a howitzer, attached to the advanced van guard, to advance; and after a short resistance the enemy returned, and took up a position on the heights before Fraumbruner, where they kept firm. We were obliged to make new dispositions for driving them from this second position. They then retreated, and formed themselves behind Urtenen, where they again halted; but being driven from this post also, they retired in good order, and placed themselves between the rocks and a large fir-wood, which covers the heights of Altmerchingen. The highway from Soleure to Berne forms a defile which crosses these heights. In this position the enemy had their right covered by rocks, and their left by woods and marshes. They had taken the precaution to make considerable abbatis to obstruct the road, and posted themselves behind these abbatis, from which they kept up a brisk fire. The 14th demi-brigade of light infantry, and the 89th of the line, were employed to carry this formidable position: the action continued more than an hour. Ruby, chef de brigade, who commanded the advanced guard, caused three companies of the second battalion of the 89th, to climb the rocks; a battalion of the 14th demi-brigade, and a demi-battalion of the 89th, passed the marshes to turn the enemy on the left, while the light artillery cannonaded the high road. These different movements were so happily concerted, that the enemy, attacked on the front and on the flanks, were surrounded in a manner at the same moment. They lost a great many men, and were completely routed, abandoning all their artillery: they however rallied again on the heights before Berne, where they gave us battle a fifth time. The hussars of the 7th and 8th regiments charged with bravery in the face of their cannon; and it is certain if Berne had not then sent deputies to capitulate, all its troops would have been made prisoners of war; and the advanced guard, cutting off their retreat, would have entered the town before the inhabitants could have had time to shut the gates. I granted to Berne the same capitulation as that granted to Soleure. We entered the place at one in the afternoon. I must add to these details, that the advanced guard fought always at the distance of two leagues from the main body, and thus the infantry marched with such rapidity, that the cavalry were forced to follow them on a trot. I cannot give you an exact account of the cannon and carriages taken. Wherever we found artillery we took possession of them. I reckon the number to be about 25 pieces, of different calibres.

calibres. The Bernese in their different actions sustained considerable loss. We have taken several officers. It is a duty I owe to truth to say, that it is astonishing, that troops who for two hundred years have not carried on war, should have maintained with great bravery five successive combats, and that they were hardly driven from one position when they resumed another. On the night between the 15th and 16th, the advanced guard of General Brune joined the troops under my command, and the general himself arrived at Berne in the morning: he has assumed the chief command of the whole army. Ruby, chef de brigade, an officer of as much courage as ability, will deliver to you, Citizens Directors, sixteen pair of colours taken from the Bernese. All the troops behaved with their usual bravery. The general officers, and chiefs of the corps, whom I mentioned in my dispatch from Soleure, have acquired a new title to my praises. Health and respect.

(Signed)

SCHAUBENBOURG.

Head Quarters at Soleure, 13 Ventose (March 7).

THE commander in chief of the troops of the French republic in the canton of Soleure and in Erguel, having nothing more at heart than to accomplish the intentions of the Executive Directory, and to contribute with all his power to the speedy re-establishment of good harmony between the French republic and the canton of Soleure, which could not have been interrupted but by the pride and personal interest of the members of the ancient government of the canton, appoints as members of the provisional government Citizens Victor Oberlin, president; Balthazar Wallier, vice-president; Xavier Zeltner, Pierre Zeltner, ex-chancellor; Nicholas Gloutz, ex-procureur-general; Benoit Gloutz, Victor Bremmer, treasurer of the seals; John Scilup de Nenkoffen, Joseph Luthy, secretary-general. These citizens will enter on their functions, dating from this day.

(Signed)

SCHAUBENBOURG.

The general, commander in chief of the troops in the canton of Soleure and in Erguel, orders, in conformity to the intentions of the Executive Directory, as follows:

Art. I. The functions of the senate of the canton of Soleure shall immediately cease.

II. It shall be replaced by a provisional government of eleven members.

III. The functions of all the bailiffs and other magistrates, the nomination of which belonged to the ancient senate, shall cease also, unless the provisional government shall think it necessary to retain any of them.

(Signed)

SCHAUBENBOURG.

General

General Brune, Commander in Chief of the French Army in Helvetia.

Quarters of General Brune, 26th Ventose (16th March).

A GREAT number of citizens of the several cantons of Helvetia having testified a desire to form a republic, one and indivisible, democratic and representative, the territory of which should be composed of the Pays de Vaud and the four Mandemens, of the Upper and Lower Valais, of the Italian bailiwicks, of Oberland and Gessenay, of the canton of Fribourg, and of the countries of Morat and Nidau ; I have taken the motives of their desire into consideration, and acknowledge that it is conformable to the principles of liberty, as well as to their local interests ; and that a republic, composed of all the designated territories, would be able to govern itself freely according to its own laws, and enjoy the advantages of an alliance with the French republic. It is therefore decreed as follows :

1st. The representatives of the Upper and Lower Valais, of the Italian bailiwicks, of Oberland and Gessenay, the canton of Fribourg, shall assemble, without delay, in the city of Lausanne, with the representatives of the Pays de Vaud, for the purpose of giving their joint consent to the government of the republic of the Rhone.

2d. There shall be in this republic five cantons ; first, *Leman, ci-devant* Pays de Vaud, and the four Mandemens, of which Lausanne is the capital ; secondly, Sarino and Broye, *ci-devant* canton of Fribourg, and the countries of Morat and Nidau, their capital provisionally Payerne ; thirdly, Oberland, its capital Thun ; fourthly, Valais, its capital Sion ; fifthly, Tefin, *ci-devant* Italian bailiwicks, its capital Locarno.

3d. There shall be a legislative body, consisting of 62 deputies, divided into two councils. The senate to consist of 24 members, and the grand council of 48. Lemman shall appoint 18 deputies ; Sarino and Broye 18 ; Oberland 12 ; Valais 12 ; and Tefin 12.

4th. There shall be an executive directory, composed of five members.

5th. The legislative body and the directory shall reside at Lausanne. They shall be empowered to fix, in six months, their place of residence definitively.

6th. The legislative body shall meet the 25th of March. They shall hold their sitting whenever 25 members attend in the grand council, and 12 in the senate.

7th. The directory shall be put in activity the 30th of March. The qualification that a member shall be either married or a widower, is not necessary.

8th.

8th. There shall be in every city, or principal commune, a municipality, whose sub-prefect shall be president. The municipalities shall take care of the property of the communes.

9th. The constituted authorities shall be maintained by the public money.

10th. The plan of a constitution, adopted in the canton of Leman, *ci-devant* Pays de Vaud, shall be followed in every thing. Nevertheless, the power of arrest given to national projects, shall be regulated and limited by the legislative body.

11th. The legislative body shall put in practice the criminal institution of trial by jury. It shall be at liberty in two years to revise the constitution, and to submit its alterations to the primary assemblies for their sanction.

Customs and usages favourable to morals and liberty, religious opinions and worship, shall be respected. The legislative body shall give an example of this respect.

(Signed) BRUNE.

*Message from the Executive Directory to the Council of Five Hundred,
23d Ventose (March 13).*

Citizens Representatives,

THE Executive Directory informed you, by their message of the 9th Pluviose last, of the aggressions which the governments of Berne and Fribourg had committed against the French republic, and the advantage which might be derived from immediately repressing them, by causing the troops detached from the army of Italy to enter the Pays de Vaud, under the provisional command of Brigade-general Menard.

You will remark, that at the conclusion of this message the Executive Directory then hoped that there would be no occasion for undertaking any more hostile measures in order to redress the injury done by the Swiss government to the republic; and indeed nothing was neglected by them to persuade us that they entertained pacific dispositions. Deputations at Basle to the French minister; deputations at Payerne to General Brune, commander in chief of the French troops in the Pays de Vaud; amicable letters to General Schauenbourg, who, under the orders of General Brune, occupied the frontiers of the department of Mont Terrible with a corps detached from the army of the Rhine; were all employed to persuade the French government that the Helvetic oligarchies had discovered their errors, and felt the necessity of repairing them.

But under these dreadful appearances there was concealed a hatred more envenomed than ever against the French republic. This hatred was at first displayed against all persons who endeavoured

voured to re-establish political equality in Switzerland. Hence the taking and pillaging the town of Arau, the seat of the Helvetic diet, as a punishment for the tree of liberty having been planted there. Hence the imprisonment of the patriots of Soleure, the threat to burn the houses of those of Dorneck, &c.

On the 11th of this month the mask was at last pulled off, and a dispatch from their staff announced that hostilities would commence on their part that day, at ten o'clock in the evening. The French army being attacked, seized its arms. It was the contest of liberty against tyranny: was it possible that liberty should not triumph?

On the 12th General Schauenbourg, at the head of his corps of 17,000 men, after some skirmishes with advanced posts, took possession of the town of Soleure, where, attended by the acclamations of a vast multitude, he broke the chains of the unfortunate men whom the oligarchy had held in confinement for nearly a month, and on whom they had already fired in the prisons.

On the 14th he pushed his advanced guard to Schainen, and brought the main body of his army to Lhofne.

On the 15th, at five in the morning, the troops began to march. Five successive actions displayed, on the one part, the greatest courage inspired in the Bernese militia by fanaticism; on the other, the invincible superiority of French valour. Victory was every where faithful to the standard of the republic; and on the same day, at one in the afternoon, General Schauenbourg entered Berne.

To these preludes of new hostilities were added all the preparations of war. In a short time, the members of the government of Berne, always skillful in fanaticizing the mind of the people, collected under their standard an army of 50,000 men, and then kept no measures except such as were necessary to conceal their perfidy a little longer.

On the 7th of this month, while they were negotiating with General Brune, they directed a detachment of their forces against him, and took possession, by surprise, of the village of Leylin, a dependency of the Pays de Vaud. This was doubtless sufficient to determine General Brune to break off the conferences; but being more the friend of peace than desirous of new laurels, he still afforded time for conciliation. The conferences were continued, but produced no other consequences than enabling the government of Berne to strengthen itself more and more, particularly in occupying the towns of Soleure and Fribourg, the magistrates of which were entirely devoted to that government.

On the following night he was joined by the advanced guard of the corps which had left the Pays de Vaud, under the immediate command of the general in chief, Brune. His march was also a series of victories, which are the more glorious that they

they were disputed with singular bravery and inconceivable obstinacy.

On the 12th, at the same moment that Soleure opened its gates to General Schauenbourg, Fribourg was carried by assault; but which must, however, praise the moderation of the conqueror. Persons and property were as religiously respected as if the town had surrendered by capitulation. Even the prisoners that had been taken were set at liberty, and tears of joy attested their gratitude.

On the same day, in the evening, the Bernese evacuated Morat, a town famous for the battle which was gained there over the Bourguignons in 1476, for the manner in which the bones of the vanquished were preserved. A trophy so insulting to the French nation could not fail to be destroyed under such circumstances. This in fact was done, and, what is very remarkable, it was performed by the battalions of the department of the Cote d'Or, on the very day which was the anniversary of the battle of Morat. A tree of liberty was immediately planted in the room of this monument, which the oligarchies pointed out beforehand as destined to be a second time the tomb of the French.

On the 14th the commander in chief caused a column, under the orders of General Rampon, to advance towards the famous passage of Gumine, which the enemy had planted with batteries. At the same time the column of General Pigeon attacked the passage of Neveneck, on the Sauffen.

On the 15th, at four o'clock in the morning, this passage was forced, and the enemy's camp carried, after an action which lasted about five hours. General Rampon also forced the passage of Gumine.

While the troops were in action upon these two points, an insurrection took place in the extremity of the Pays de Vaud, near Yverdun. Some Bernese officers and emigrants commanded the rebels, who had passed two pieces of cannon by the lake of Neuchâtel. Fortunately, the general in chief had taken proper measures: the rebels were defeated, and their cannon taken, by a detachment partly composed of Vaudese volunteers.

This is not the only occasion on which these volunteers have shown that they were worthy of combating for the liberty of their country. They distinguished themselves at the taking of Fribourg, where the blood of many of them flowed.

Twenty-nine standards, a numerous artillery, the punishment of the oligarchy, liberty restored to Switzerland, and the national justice sacrificed—such, citizens representatives, are the fruits of the victories which the aggressions of the tyrants of Helvetia have forced our brethren in arms to obtain over them.

These victories are the more astonishing, as the French troops had every where to surmount obstacles presented by positions which

nature seemed to have rendered impregnable, which art had fortified with all its resources, and which were defended by the most formidable artillery.

When the armies of the republic have conquered the troops which were reckoned the most warlike of Europe, you will doubtless judge, citizens representatives, how tranquil France may be as to the issue of the coalition which the cabinet of ***** seeks to renew, and for which it employs all that is powerful in falsehood, in gold, and in seduction.

The triumph of the republic in Switzerland is the more glorious and the more pleasing, that, while it is a new victory, and a victory particularly obtained over England, which had made this country the centre of its intrigues, it will restore the estimable people of Helvetia to their original dignity, and deliver them forever from the humiliating yoke of the most tyrannic oligarchy.

(Signed)

MERLIN, President.

LAGARDE, Sec. General.

*Proclamation of the General in Chief of the French Army in Helvetia,
to the Helvetic Nation.*

Brave Helvetians,

Head Quarters at Berne, July 8.

ONE of the most perfidious means which the enemies of our regeneration have employed to shut your hearts against confidence in us, and to spread around suspicion and anxiety, is to ascribe to the French republic the design of uniting the territory of the Helvetic republic to that of the French republic. Cowardly wretches! Finding they were unable to resist those victorious arms which broke asunder the chains of the patriots, and delivered the victims of oligarchy, they wished at least to avenge their disgrace, by exciting hatred and disgust against a government which fostered among you the establishment of an order of things to which itself owes its force and its lustre—against an army which overwhelmed anarchy and fanaticism by turns, which, but for its valour, would have converted Switzerland into one vast tomb.

Brave Helvetians! to you, who have recovered those rights of which a free constitution will secure the enjoyment—to you, who do not confound the transient crisis of a revolution with the blessings which must succeed to it—to you it will doubtless be sufficient to point out this new stratagem of your enemies, to ensure its defeat, and to turn its effect against its authors themselves.

Is not France already sufficiently powerful—sufficiently extensive? Has she added to her territory Holland, and the fine countries of Italy, which were conquered by the force of her arms? Are not the Batavian, Cisalpine, Ligurian, and Roman republics,
monuments

monuments of her respect for the independence of nations and the sovereignty of every people? Have not yourselves received the most unequivocal proofs of it?

No! Switzerland is not destined to augment the number of our departments. The country of William Tell is worthy of ranking among free states and representative governments: she will accomplish that splendid destiny, and she will find in the French republic a faithful ally and a sincere friend, always ready to protect her against all her enemies.

(Signed)

SCHAUENBOURG.

Felix Desportes, Commissary of the Government, to the Executive Directory.

Geneva, 27 Germinal (April 16).

GENEVA is now happy; its union with the French republic has been unanimously proclaimed by the extraordinary commission, after the sovereign council which had been held in the morning. A solemn deputation, preceded by a crowd of citizens, who made the air resound with cries of "Live the great nation! Live the Executive Directory!" came to announce this resolution to me. I accepted in your names the wishes of the Genevese people. The most criminal and unparalleled intrigues were made use of to interrupt the designs of the sovereign council. The hosts of anarchists wished to destroy the hopes of the people, they wished to prevent the prolongation of the powers of the commission. But the patriots of Geneva braved the vociferations and poniards of their tyrants, and out of 3197 voters, 2204 gave their suffrages for the prolongation, and 33 votes were declared null and void. The commission then could no longer doubt of the voice of the citizens, and hastened to satisfy their impatience. At this moment that committee is treating with me in negotiating a treaty of union. After the sitting of the sovereign council under the express demand of the Genevese, I put within their walls an armed force commanded by General Gerard, and only consisting of about 1200 men, merely sufficient to suppress the fury of the brigands who threatened to destroy the friends of the French. The half of this force returns this morning to its cantonments at Carrange and Ferney, the remaining part rest in barracks at Geneva. Such is the wish of the Genevese people, and it is upon the promise of my keeping amongst them the conquerors of the Rhine, that the friends of France have mounted the tri-coloured cockade. I will not speak to you, citizens directors, of the enthusiasm with which our brave defenders were received by their new fellow-citizens; all their wants were anticipated; there was a general emulation to afford them every species of accom-

modation ; nothing was heard on any side but songs which sounded the praises of the French heroes ; every heart seemed to be united in the bonds of fraternity ! So flattering a reception, so real an attachment, should prove to you, citizens directors, how much the twig of Geneva figures in the fasces of the great republic:

Proclamation of the Sardinian Insurgents.

ITALY, my friends, Italy herself depends upon you for her freedom ; she expects at your hands the necessary increase of power which is to recall her to her original greatness, and to render her worthy of that exalted destiny which the great nation, the delivering nation, reserves for her—the genius of the heroes of old hovers over Italy, and their blood flows in the veins of all true Italians.

Choose then between glory and infamy. Glory consists in being free, infamy consists in being enslaved. Will you prefer the fictitious friendship of a tyrant to the friendship of your country ? Reflect that her vengeance is terrible ! Think of your wives, your fathers, your children ! No, fly into our arms, fly—our arms are open to embrace you, our hearts pant to receive you.

And you, ye warlike inhabitants of the cloudy summits of the frozen Alps, you whom an infamous oligarchy has long condemned to the humiliating trade of being executioners for tyrants, are ye still ignorant that your country is free—that Switzerland, your native country, is delivered, and recalls you into her bosom ? What people will condescend to look on you, what nations will be able to respect you, what country will be inclined to support you, if, when become freemen, you still submit to be the voluntary satellites and the mercenary soldiers of kings ?

Order of the Executive Directory of the French Republic in consequence of the Refusal of the Council of Elders of the Cisalpine Republic, on the 15th March, 1798, to accede to the Treaty of Alliance and Commerce between the French and Cisalpine Republics.

THE Directory, considering that their refusal is the effect of the manœuvres of the enemies of the two countries, and that it gives the French republic a title to resume all those rights which it was before willing to wave, have ordered—First, that a contribution shall be raised to defray the expenses of maintaining the troops of the French republic in Italy ; and second, that twenty-one citizens, named by the commander in chief, members of the council of elders of the Cisalpine republic, shall be supereded and arrested.

Procla-

Proclamation of General Berthier to the People of the Cisalpine Republic, 18th March.

ATREATY of alliance with the French republic can alone secure your liberty, and therefore it will be the death-blow to tyranny.

A great plot has been formed against your happiness—an attempt was made to destroy the discipline of the French army, and to excite disturbances in your departments. Journalists have been paid to mislead you, and to insult the French nation and you: she is not insulted with impunity. These counter-revolutionists wished to assassinate Frenchmen and Cisalpiners.

A deputy of the council of elders (but I say it with pleasure, not a native of the Cisalpine territory) formed a plot to deliver up Mantua to the enemies of the Cisalpine republic—Traitors, paid by the princes who surround you, are perhaps concealed in some of the most respectable posts in your government: other men, whose intentions ought to be pure, serve your enemies without intention, either by a false enthusiasm, or through ignorance. Cisalpine people! can you forget that you owe your liberty to the blood of Frenchmen, which has moistened your country, and to the sacrifices of that great country which is the admiration of the universe?

Yes, the French are your friends; they always will be so, and will complete the work they have begun.

In the orders which I have given for the punishment of some impudent and counter-revolutionary journalists, in the accusation which I have demanded against a representative of the people who is a traitor to his country and the French army, I have respected the principles of liberty which we have given you when I might have employed military force. Cisalpine people! be calm and tranquil; let those alone create disturbances who wish to plunge the country in the horrors of anarchy, and to destroy your liberty. May the most intimate friendship subsist between the French republic and you!

As for me, I have never ceased to give the strongest proofs of my attachment to your country. I would lay down my life to secure your happiness and liberty; but I declare, that I will use with firmness and courage the authority which is entrusted to me, in order to secure respect for the French republic, your liberty and happiness, and to preserve your places from treason and the attacks of your enemies.

Form of the Oath ordered to be taken by the Swiss resident in Russia.

I A. B. do declare by the present oath, before the Almighty God, and upon his holy gospel, that I have never acceded, in will or in deed, to the wicked and revolutionary principles which prevail

prevail in France, and which at present are propagated through other countries, particularly through Switzerland; that I hold the government there established to be illegal; that I am convinced in my conscience of the sanctity of the Christian religion as professed by my ancestors, and of the duty I am bounden under to be faithful and obedient to the ancient form of government.

I accordingly do promise and bind myself, under the gracious protection of his Majesty the Emperor, &c. of all the Russias, to comport myself in his dominions agreeably to the principles of the Christian religion, in which I was born; to pay the most punctual and rigorous obedience to the laws and administration established by his Majesty; and, in short, to break off all correspondence with them, until, after the re-establishment of legal order in Switzerland, I shall have obtained that permission from his Majesty.

In case of prevarication, I resign myself to all the rigour of the laws of this sublunary life, as also to God's last judgment; and, as a consummation and seal of the present oath, I kiss the words and the cross of our Saviour Jesus Christ. SO BE IT.

The Minister of the War and Marine Department of the Ligurian Republic to the Minister for Foreign Affairs and of Justice, June 21.

THE minister of war and marine, in answer to the note of this day from the minister of foreign affairs, by which he charged him, in the name of the Directory, to write the proper circular letters, to the end that the law, ordained the 11th of September 1796, of the former government, which prescribes that the ports of the republic should remain shut against all British vessels, should be fully carried into effect, has the honour to inform him, that ports are not to be shut up by letters, but secured by bombs and red-hot bullets; that to effect this, there must be well posted batteries, cannon and mortars properly appointed; brave and spirited soldiers to serve them as circumstances may require; that batteries, ammunition-carts, and every article necessary for this purpose, are not to be procured by mere words, but by money; that courage and discipline are not promoted nor attained by a disorganization of the armed force, such as is dictated by the unconstitutional law of the 18th and 19th current, which carries into effect that of the 16th of May, and the subsequent decree of the Executive Directory of the 19th, which prescribes to me its being carried into execution; neither in obstructing every road to preferment to the person who has gained it by his blood, at a moment too when the most vile betrayers of their country are seen to be declared innocent. The minister of war informs you that, in order to its being defensive and offensive,
he

he must have men and money. Every one is acquainted with the state of our arsenal and fortifications. Health and fraternity.

(Signed)

FREDERICI.

ANSWER.

Citizen Minister,

I HOPE, that with an honest satisfaction you will peruse a republican reply to your letter, read over by me on the evening of the 21st inst. In good truth I do not comprehend, that because the resolutions of the Executive Directory have been communicated to you through the channel of the minister of external relations, you should apply to him as a more ready and immediate communication with the Directory. Every honest citizen is of opinion with you, that sea-ports are secured by batteries well placed, with cannon and mortars properly appointed, with bombs, red-hot balls, &c. and that money is necessary to carry this into effect. But you will agree with the honest citizens, that the national chest is oppressed by the expenses occasioned by the war just terminated; that its resources are exhausted, and the finances, particularly in this district, disorganized. The honest citizens agree with you, that circumstances imperiously demand the most efficacious measures of defence; but, with them, you, who are an honest man, will allow that it was necessary to secure the Ligurian territory from an hostile attack, previously to the embarking in an offensive war. You will agree, that it was necessary to examine whether the Ligurian territory could supply the means of obtaining it, and whether our republicans were sufficiently instructed in the use of arms, and in military evolutions, to face battalions long since disciplined, and accustomed to military operations. You will allow, that, under these circumstances, the law which suspends the further assemblage of troops, was a just measure of necessary economy. You will allow, that the law of the 19th current was a prudent and necessary precaution, which is framed with a view of organizing a provisional guard to the legislative body, in order to protect them from certain threats and murmurings of the spurious children of the country, who sometimes have been heard in circles about the place of assembly, endeavouring to wrest from it laws in counterpoise for the public welfare. You will agree, that a law suspending military promotion does not stop up the road, but is only a short delay in it, suggested by necessary precaution, in order to examine who has justly deserved it. The military commission now elected will point out the traitors of the country. You will allow, that a momentary ebullition has dictated the tenour of your letter; but no honest citizen can be induced to believe that you will give your assent, upon reflection, to its appearing in print. It might be

be the part of a news-writer, or other private scribbler, but surely not of a public functionary, to publish sentiments calculated to create in the public mind a want of esteem and respect for the legislative body. You will allow, that disunion among the governing powers induces a spirit of party, and paves the way to total ruin. You will finally agree, that the observations of your fellow-citizen are just—are upright. He sincerely, in the fulness of his heart, wishes you health, fraternity, and consideration.

(Signed)

MASSONE.

Substance of the Report of the Secretary of State to the President of the United States, of the Proceedings of the Officers of his Catholic Majesty, in relation to the Posts occupied by his Troops within the Limits of the United States.

UPON a view of the whole correspondence now and before submitted to the President, it appears, that the governors of his Catholic Majesty on the Mississippi have, on various pretences, postponed the running the boundary line, and the withdrawing of his troops from the posts they occupied within the territory of the United States: that after repeated overtures, promises, and appearances of commencing the execution of the treaty between the two nations, in both these respects their conduct demonstrates, that for an indefinite period they mean to avoid doing either: that there is but too much reason to believe Mr. Ellicott's suspicions well founded, that an undue influence has been exercised over the Indians by the officers of his Catholic Majesty, to prepare them for a rupture with the United States: these suspicions correspond with other intelligence recently received by the secretary at war, and by me—mine is by a private letter from Colonel Sargent, the secretary of the territory north-west of the river Ohio, of which an extract is annexed.

Whether this plan of exciting the Indians to direct hostilities against the United States has been contemplated and promoted by any of our own citizens, it may be difficult to say; but that one or more of those citizens have proposed and taken measures to detach the southern Indians from the interests of the United States, and to destroy the influence of the public agents over those nations, and thus to defeat the great objects of their appointments, the chief of which is to preserve peace, is certain. The evidence of this important fact will be laid before you by the secretary at war. That evidence having a reference to the British minister, and his government, I took the liberty of addressing to him a letter, dated the 1st inst. to which I received the answer.

As closely connected with this business, I lay before you the copy of my letter, dated the 27th of April last, to Charles Jack-

son, Esq. the district attorney for Georgia, reciting a passage in a letter from the Spanish minister, dated the 21st of April, declaring his positive knowledge, that the English had made propositions to General Clarke of Georgia, to obtain his influence in that state, in conjunction with some persons who might make a diversion or serious attack against Florida. By Mr. Jackson's answer, from which an extract is herewith presented, it appears that, after diligent inquiry, he could not find any person that knew any thing of the business, or that entertained a belief of the kind; and that, from General Clarke's known violent antipathy to the English, and other circumstances, he doubted the truth altogether.

On the 30th ult. I received a letter from General Pinckney, dated the 9th of May, which contains the late intelligence from him, and seems proper to accompany the other papers now laid before you. His letter, therein referred to, has not yet come to hand.

Letter to Timothy Pickering, Esq. Secretary of State, from the Chevalier de Trujillo, Minister Plenipotentiary of his Catholic Majesty, &c.

Sir,

YOUR additional report to the President of the United States of the proceedings of the officers of the King of Spain, in relation to the posts and the running of the boundary line, which I find published in all the newspapers, obliges me to trouble you with this letter. If your discussion of facts has been as correct and impartial as there was reason to expect, I should not have been under the necessity of undertaking this task; but the construction you are pleased to put upon every act of the Spanish officers in general, and especially upon those in which I am personally concerned, compels me to observe upon several expressions which I have noticed in your said report.

You begin, Sir, with saying, "that although I had declared I had just reasons for suspecting an expedition from Canada was preparing by the British against the upper parts of Louisiana, yet I never had mentioned a single fact or reason on which my suspicion was founded." In my letter of the 2d of March I pointed out to you the probable route which the expedition would take; and in our conference of the 27th of February I gave you information that a corps of three hundred and fifty men had been raised at Montreal, and marched towards the lakes, where, after the evacuation of the American forts, there was no ostensible object for them. I also told you, that I knew that the British agents had treated with some of the Indian nations in that country, concerning the intended expedition; and I added, that I had received

those advices from a person who might be depended on, who had seen those new levies passing through Johnstown, on their way to the westward. But, even supposing that I had not entered into any particulars, even supposing that my information at that period was not complete, yet did not the interest and dignity of this government—did not its friendly connexion with Spain, require that it should have taken every proper means to prevent the attempt we were threatened with, by giving suitable orders to General Wilkinson, or to the commanding officer of the military force on those frontiers? The absolute silence in this particular of the documents which accompany the report of the secretary of war, your never having communicated to me any determinate disposition on this point, as you do in your answer to my letter, which in the publication is marked No. 7, afford me sufficient grounds to fear that these precautions were omitted.—You add, Sir, with a degree of candour difficult to be conceived, that from my not having given to you detailed information respecting the expedition, and from the answer which you received on the 19th ultimo from the British minister, you believed my suspicions to be groundless. Is it possible, that any one will candidly imagine, that if the English intended to violate the territory of the United States, in order to effect a *coup de main*, they would be as ingenuous in answering, as you were in asking their ministers the question?

I shall not enter into all the observations which suggest themselves to my mind, from your having communicated to Mr. Liston the contents of my letters. I expected that the American government would have watched his motions, and taken the means which I have already mentioned to prevent the success of a similar enterprise; but I never could have imagined that you would have given to the British minister a piece of advice, which might enable him to alter his plan, by letting him know that the former one was discovered. By the line of conduct which you have pursued in this business, I am convinced, that, had I communicated to you more particular details respecting this transaction, you would, with the same good-natured frankness, have given information of them to Mr. Liston.

But, if you did believe that asking this question of the British envoy was the most efficacious means to prevent the violation of the neutrality of the United States, and the invasion of the Spanish territory, let me ask, why you was so remiss in this measure, that although I had communicated this project to you, verbally, on the 27th of February, and on the 2d of March in writing, yet, in a matter obviously so improper, you only wrote to the British envoy on the 28th of April, that is, two months afterwards?

I shall not quit this subject without taking the liberty of making to you one observation which is intimately connected with it. By the date of the letter I have just mentioned, it evidently

dently appears that I gave you advice of this intended expedition on the 2d of March, and that, three days before, I had given you the same information verbally. I imagined, from your known attention to business, and the importance of the subject, that you would have submitted it immediately to the consideration of the President of the United States. On the 9th of March I had the honour of speaking to Mr. Adams, at his lodgings at Francis's Hotel, and mentioned this subject as a matter that I supposed him already fully informed of; and it was with no small surprise I heard him say that he knew nothing about it. I produced the map which I had in my pocket-book, and he listened with great attention to all that I had to say to him. It was, no doubt, to this conference with Mr. Adams that I was indebted for your answer of the 11th of the same month. I shall entirely abstain from putting any construction upon the reasons which induced you to omit making this communication to the President; but they must have been very powerful motives which could oblige you to remain so long silent on a matter of such importance.

You say, in the third paragraph of your report, that on your asking me what measures Spain had taken in order to carry into execution that part of the treaty which relates to the withdrawing the garrisons, I answered you on the 17th of April, that I had been for some months without receiving letters from the Baron, and consequently "was entirely ignorant of the steps which had been taken for the execution of the treaty."—From this expression, which, in order to draw attention, you place between inverted commas, you insinuate an inference which, in my opinion, is very far from being true, when you add immediately afterwards, "Nevertheless, he had previously informed the Baron of his suspicions of a projected expedition."—What is this to prove, Sir? That the Baron indeed had received my letters, but not that I had received his. The irregularity and uncertainty of navigation easily shows that your logic on this point is extremely false.

In the fifth paragraph, after giving an account of my letter of the 24th ultimo, and of its object, you observe that I have omitted to mention, among the other complaints of the Baron, that of Mr. Ellicott's not having given him notice of his arrival at Natchez.—Permit me, Sir, to represent to you, that you have entirely mistaken what I had the honour of telling you on that occasion; for I simply mentioned, not as a complaint, but as mere observation, that the Baron, in the rigour, might not have considered Mr. Ellicott as an American commissioner, he not having given him on his arrival official notice of his appointment, having merely informed him of it in the way of a confidential communication. You cannot be ignorant, Sir, that there are certain requisite formalities when nations treat with one another of their mutual concerns, which are not required between individuals.

viduals. The Baron, when he speaks in this manner, points out his meaning, that, besides the confidential letter communication of which you consider as so important, no one expected another official one, including his commission, or some other document, to ascertain the identity of the person, and the object of his mission. When, on my arrival in this country, I had not yet presented my credentials to the President, although I had delivered to you a copy of them, might, in the rigour, not have recognised me as the envoy extraordinary of the King my master, for want of having complied with that necessary requisite of the established etiquette. I do mean to say, that in the present case it was absolutely necessary to go through a similar formality; nor did the Baron mention it but as a mere matter of observation, which was not to affect the object in question, although you, thinking that it affords a victorious argument, are pleased to give to this circumstance an importance which it does not deserve. Besides, Sir, I might serve to you, that when, after a mixed and desultory conversation upon various subjects, I had collected and methodized my observations and committed them to writing, your answer and observations ought to have been confined to the written communication clothed with all the necessary formalities; but neither do I wish to make of this an object of discussion.

The proof which you give in the sixth paragraph of your report, to show that it is not certain that Mr. Ellicott intended to get possession of Natchez by surprise, and that for that purpose he had endeavoured to gain over the inhabitants, is merely negative. From your examination of the two persons you mention, you can expect very little to expect: the circumstance alone of their being the bearers of Mr. Ellicott's dispatches, points out that they were both in his confidence; and it may be presumed without testimony that, being his friends, or employed under his orders, they would hardly make a denunciation that might be prejudicial to the Governor. Governor Gayoso declares that he has proofs of the fact. I shall not fail to apply to him for them, and perhaps may one day speak to you more positively on this business.

After having discussed the history of these transactions with the force and accuracy which result from these observations, I assure, with a very ill grounded confidence, that, upon a view of the whole, it appears that his Majesty's governors on the Mississippi have, on various pretences, postponed the running of the boundary line, and the evacuation of the posts. But I appeal to that country which you have so generously shown to the British minister that you may tell me, whether it can be called a pretence that the Baron de Carondelet, who was entrusted with the safety of Louisiana, refused to carry into execution a pretension that was not stipulated for by the treaty? By the second article it is

agreed that the garrisons shall be withdrawn; and, as I had the honour of representing to you in my letter of the 24th ult. it is not to be presumed that it could ever have been the intention of his Catholic Majesty to deliver up fortifications, which, besides that they have cost him considerable sums of money, may, by the effect of political vicissitudes, be one day prejudicial to his subjects. If not to do what was not stipulated for, and the execution of which would be contrary to the interests of Spain, is a pretence, we must confess that it is a very plausible one.

With respect to the line of demarkation, it appears by the correspondence and letters of the Baron de Carondelet, which are in my possession, that although he entertained the same doubts which were suggested by Governor Gayoso respecting the posts, yet he was consenting that the astronomical observations should be begun upon, for which purpose the engineer, M. de Guillemand, had already arrived at the Natchez, with all the instruments and apparatus. Such was the situation of things when my communications respecting the intended expedition got to hand; from that moment imperious necessity, and the great principles of self-defence, made his Catholic Majesty's officers turn their thoughts to objects of a more urgent nature. Mr. Blount's letter, and the late detected conspiracy, evince how far their conduct in this respect was necessary; and you, Sir, possessed, as you were, of all the facts, when you laid them before the President, ought to have been one of the last to have stigmatized the motives with the epithet of pretexis. So palpable an attempt to make groundless and unfair impressions on the public mind, is well calculated to defeat its own ends, and appears still more extraordinary when we consider that the American government is in every way anxious, by its own confession, to maintain peace and harmony with Spain.

Nor do your ill-founded insinuations stop here: sentiments and expressions still more violent, flow from that same hasty pen. You say in another part, "that there is but too much reason to believe Mr. Ellicott's suspicions well founded, that an undue influence has been exercised over the Indians by the officers of his Catholic Majesty, to prepare them for a rupture with the United States." Fortunately, Sir, you have told us the source whence you derived all those dreadful conjectures of yours; otherwise, perhaps, the weight and authority which your high official character stamps upon whatever you write or say, might make an undue impression on the public. You acknowledge, Sir, it was a private letter of Mr. Sargent's (secretary of the north-western territory) that gave rise to your surmises: we shall now see what the letter says:

No. 14.—*Extract of a Letter from Winthrop Sargent, Esq. Secretary of the North-western Territory, to the Secretary of State, dated Cincinnati, June 3d, 1797.*

“ General Wilkinson sending off an express, I seize the occasion to transcribe for you some paragraphs from a western letter.

“ The Spaniards are reinforcing; their upper posts on the Mississippi considerably. General Howard, an Irishman, in quality of commander in chief, with upwards of three hundred men, is arrived at St. Louis, and employed in erecting very formidable works. It likewise appears through various channels, that they are inviting a great number of Indians of the territory to cross the Mississippi; and for this express purpose, Mr. Lorrómie, an officer in the pay of the crown, made a tour through all this country last fall, since which time several Indians have been sent on the same errand, and generally furnished with plenty of cash to defray their expenses.

“ A large party of Delawares passed down on White River about the 6th of May, on their way to the Spanish side, bearing the national flag of Spain, some of them from St. Louis.

“ They (the Spaniards) have, above the mouth of the Ohio, on the Mississippi, several row-gallies with cannon.”

Now, Sir, what inference can be drawn from that letter? Why, that the Spaniards have fortified San Luis, and availed themselves of every means of defence that the country afforded! But let me ask you, Sir, against whom it is that they were preparing to defend themselves? Surely the documents which you have laid before the President, and the momentous business which now engages the attention of Congress, and agitates the public at large, afford a complete and satisfactory answer.

I mentioned to you, in my letter of 2d March, that the object of the British was to attack Upper Louisiana, and take San Luis and New Madrid by surprise. It will not be questioned but that prudence required of us at that juncture to fortify the threatened points. This, Sir, was all we did; and this, Sir, you knew many months past: yet Mr. Sargent's letter, which in substance says no more, fills you all at once with fears and self-created apprehensions, and makes you declare in the face of the American people, “ that the Spanish officers are exciting the Indians to a rupture with us.” No one will say that preparations for our self-defence were not necessary on our part. The assurance given you by the British minister, with all the appearance of a confidential communication, but without any signature, did not inspire the servants of his Catholic Majesty with the same blind confidence which it produced in you. We know from daily experience how religiously the British nation observes the rights of neutrality.

Witness

Witness the American sailors ! Witness the republic of Genoa, in whose port they attacked and made prize of the French frigate *La Modeste*, as she lay at anchor there. Witness the inhabitants of Trinidad, when the British, though then in amity with them, entered their capital with drums beating and colours flying, in pursuit of a few French who had taken refuge there. These, and other instances of the sort, too numerous to be recapitulated, make us less credulous on the score of Great Britain's respect for the rights of neutrality than you appear to have been.

As to those tender considerations which actuated the British minister to reject the plan on account of the inhumanity of calling in the aid of the Indians, I did expect that such vague unauthenticated declarations would have been appreciated as they deserved by you, Sir, who have fought in the glorious cause of American independence, who witnessed the humanity of their conduct in the course of that war ; and you cannot be ignorant of what has happened since.

Your ascribing hostile views to the preparations of our self-defence, cannot, Sir, have been matter of much surprise to me, after having heard a certain member of Congress, who is known to be the organ of the will of the administration, declare in that House, that he ascribed to the same motives the preparations we were making for the defence of Florida, though probably he was not ignorant, at the very time, of their real object. Thus then, Sir, according to your mode of reasoning, and that of the gentleman I have just alluded to, though we were certain of being attacked, and though we were not certain that the American government had taken the proper measures for protecting its neutrality, yet we were to adopt no measures for our defence, but tamely suffer his Majesty's forts and possessions to be taken ; and all this for fear of creating ill-founded suspicions on your minds !

If you have not been very successful, Sir, in the solidity of your reasonings, you appear not to be more so in the method of following them. After having denounced us to the whole American nation as stirring up the Indians against the United States, and preparing them for a rupture, you fall into the most glaring inconsistency in the following paragraph :—" Whether this plan of exciting the Indians to direct hostilities against the United States, has been contemplated and promoted by any of our own citizens, it may be difficult to say ; but that one or more citizens have proposed and taken measures to detach the southern Indians from the interest of the United States, and to destroy the influence of the public agents over those nations, and thus to defeat the great objects of their appointment, the chief of which is to preserve peace, is certain."

I again appeal here, Sir, to your generous candour. How is it possible to reconcile such evident contradictions ? On the one hand,

hand, the Spanish officers are those who excite the southern Indians against the United States; and on the other you quickly allow, presuming, with sufficient foundation, in my opinion, that it may be some citizens of the United States. But although you might entertain any doubts yourself on the subject, which I am sure no person in America will, after reading Mr. Blount's letter, did not this very same doubtful case and uncertainty require in your situation more circumspect language? And if, even in this case, you appear to have gone beyond what sound policy, the tranquillity and interest of the United States, required, how much more unjust are your insinuations against Spain, when the public possess, in Mr. Blount's letter, a document by which they can see, that, if the manoeuvres with the Indians were not favourable to the United States, they were precisely combined to attack the Spaniards? From this method of reasoning of yours, it appears as if the Spaniards were, jointly with Mr. Blount, stirring up the Indians to attack themselves.

Respecting the last article of your report, I have only to observe, that although you have constantly assured me that government had not the least information respecting the subject of my representations, and although the letter of Mr. Jackson, of Georgia, appears to coincide with your ideas, nevertheless time has shown that I have complied with my duty by not reposing on such assurance. The plot is discovered, and nobody any longer doubts that the expedition was to have taken place.

After having followed you step by step through the various points of your report to the President, I shall make a short compendium of such as arise from this letter; from which it results,

1. That on the 27th of February I gave you sufficient particulars respecting the intended expedition, to have attracted the attention of this government.

2. That although to this verbal communication I added another in writing on the 2d of March, the President had not the least knowledge of it on the 9th of the same month; and that, without doubt, you must have had very powerful motives to prevent you from communicating it to him.

3. That it does not appear by the documents presented by the secretary of war, that government had given orders to the military commanders to cause the territory and neutrality of the United States to be respected.

4. That you made to the English minister a communication, which in my opinion you ought not; and that, even if you thought it necessary, you delayed doing it for two months, that is, from the 27th of February to the 28th of April, although it respected a most urgent and important object.

5. That

5. That the Baron de Carondelet could very well have received my letters, without its necessarily following that his had come to hand.

6. That the Baron did not represent Mr. Ellicott's not writing to him officially as a complaint, but as an observation; and that, in fact, he never has done it in those terms.

7. That the proofs you allege to exculpate Mr. Ellicott, respecting his intentions of taking the fort of Natchez by surprise, are purely negative.

8. That it is not merely pretences, but very powerful reasons, which have impeded the evacuation of the posts, and the running of the boundary line.

9. That the insinuations with which you are willing to persuade the American people that our arming is directed against them, are unjust as well as unfounded, as, by Mr. Blount's letter, it is clearly demonstrated to be a precaution for the mere purpose of defence.

10. That you evidently contradict yourself, when, on one hand, you are pleased to attribute to us the movements of the Indians, and, in the very next paragraph, you show it might proceed from American citizens, as it actually does according to Mr. Blount's letter; and that he acted with the knowledge and intelligence of the very same British minister, in whose private notes, *without signature, and perhaps not of his own hand-writing*, you place such implicit confidence.

11. That although, in all your official communications, you have always manifested to me that the American government knew of nothing which indicated any foundation for my suspicions, Mr. Blount's letter clearly proves that I was perfectly in the right.

I have thus fulfilled a very disagreeable duty. Always desirous to contribute to strengthen the bands of friendship which unite Spain and America, and to which their situation, their wants, and resources, invite them, I have seen with the most profound grief, that the language and tenour of your communication to the President, is not, in my opinion, calculated to promote so desirable an object to us all. For my part, although I shall leave nothing undone to cement the union and harmony with a nation which I respect, neither shall I ever suffer the interests of the King, my master, in any case whatever, to be sacrificed to an unjust partiality.

I pray God to preserve you many years.

Your most obedient humble servant,

CARLOS MARTINEZ DE YRUJO.

Philadelphia, July 11, 1797.

*Speech of the American President, on the opening of the Congress,
Thursday, Nov. 23, 1797.*

Gentlemen of the Senate, and Gentlemen of the
House of Representatives,

I WAS for some time apprehensive that it would be necessary, on account of the contagious sickness which affected the city of Philadelphia, to convene the national legislature at some other place. This measure it was desirable to avoid, because it would occasion much public inconvenience, and a considerable public expense, and add to the calamities of the inhabitants of this city, whose sufferings must have excited the sympathy of all their fellow-citizens. Therefore, after taking measures to ascertain the state and decline of the sickness, I postponed my determination, having hopes, now happily realized, that, without hazard to the lives or health of the members, Congress might assemble at this place, where it was fixed by law to meet. I submit, however, to your consideration, whether a power to postpone the meeting of Congress, without passing the time fixed by the constitution upon such occasions, would be an useful amendment to the law of one thousand seven hundred and ninety-four.

Although I cannot yet congratulate you on the re-establishment of peace in Europe, and the restoration of security to the persons and properties of our citizens from injustice and violence at sea, we have, nevertheless, abundant cause of gratitude to the Source of benevolence and influence, for interior tranquillity and personal security, for propitious seasons, prosperous agriculture, productive fisheries, and general improvements; and, above all, for a national spirit of civil and religious liberty, and a calm but steady determination to support our sovereignty, as well as our moral and religious principles, against all open and secret attacks.

Our envoys extraordinary to the French republic embarked, one in July, the other in August, to join their colleagues in Holland: I have received intelligence of the arrival of both of them in Holland, from whence they all proceeded on their journey to Paris, within a few days of the 19th of September. Whatever may be the result of this mission, I trust that nothing will have been omitted on my part to conduct the negotiation to a successful conclusion, on such equitable terms as may be compatible with the safety, honour, and interests of the United States. Nothing, in the mean time, will contribute so much to the preservation of peace, and the attainment of justice, as a manifestation of the energy and unanimity of which, on many former occasions, the people of the United States have given such memorable proofs, and the exertion of those resources for national

tional defence, which a benevolent Providence has kindly placed within their power.

It may be confidently asserted, that nothing has occurred which renders inexpedient those precautionary measures recommended by me to the consideration of the two Houses, at the opening of your late extraordinary session. If that system was then prudent, it is more so now, as increasing depredations strengthen the reasons for its adoption.

Indeed, whatever may be the issue of the negotiation with France, and whether the war in Europe is or is not to continue, I hold it most certain that permanent tranquillity and order will not soon be obtained. The state of society has so long been disturbed, the sense of moral and religious obligations so much weakened, public faith and national honour have been so impaired, respect to treaties has been so diminished, and the law of nations has lost so much of its force; while pride, ambition, avarice, and violence, have been so much unrestrained, there remains no reasonable ground on which to raise an expectation, that a commerce, without protection or defence, will not be plundered.

The commerce of the United States is essential, if not to their existence, at least to their comfort: their growth, prosperity, and happiness, the genius, character, and habits of the people, are highly commercial; their cities have been formed and exist upon commerce; our agriculture, fisheries, arts, and manufactures, are connected with and dependant upon it. In short, commerce has made this country what it is, and it cannot be destroyed or neglected, without involving the people in poverty and distress. Great numbers are directly and solely supported by navigation. The faith of society is pledged for the preservation of the rights of commercial and sea-faring, no less than for those of the other citizens. Under this view of our affairs, I should hold myself guilty of a neglect of duty, if I forbore to recommend that we should make every exertion to protect our commerce, and to place our country in a suitable posture of defence, as the only sure means of preserving both.

I have entertained an expectation that it would have been in my power, at the opening of this session, to have communicated to you the agreeable information of the due execution of our treaty with his Catholic Majesty, respecting the withdrawing of his troops from our territory, and the demarkation of the line of limits. But by the latest authentic intelligence, Spanish garrisons were still continued within our country, and the running of the boundary limited not been commenced. These circumstances are the more to be regretted, as they cannot fail to affect the Indians in a manner injurious to the United States. Still, however, indulging the hope, that the answers which have been

given will remove the objections offered by the Spanish officers to the immediate execution of the treaty, I have judged it proper that we should continue in readiness to receive the posts, and to run the line of limits.

Further information on this subject will be communicated in the course of the session.

In connexion with the unpleasant state of things on our western frontier, it is proper for me to mention the attempts of foreign agents to alienate the affections of the Indian nations, and to excite them to actual hostilities against the United States. Great activity has been exerted by those persons, who have insinuated themselves among the Indian tribes residing within the territory of the United States, to influence them to transfer their affections and force to a foreign nation; to form them into a confederacy, and to prepare them for war against the United States.

Although measures have been taken to counteract these infractions of our rights, to prevent Indian hostilities, and to preserve entire their attachment to the United States, it is my duty to observe, that to give better effect to these measures, and to obviate the consequences of a repetition of such practices, a law providing adequate punishment for such offences may be necessary.

The commissioners appointed under the fifth article of the Treaty of Amity, Commerce, and Navigation, between the United States and Great Britain, to ascertain the river which was truly intended under the name of the River St. Croix, mentioned in the treaty of peace, met at Palzamaquody Bay in October 1796, and viewed the mouths of the rivers in question, and the adjacent shores and islands; and, being of opinion that actual surveys of both rivers to their sources were necessary, gave to the agents of the two nations instructions for that purpose, and adjourned to meet at Boston in August. They met; but the surveyors requiring more time than had been supposed, and not being then completed, the commissioners again adjourned, to meet at Providence in the state of Rhode Island in June next, when we may expect a final examination and decision.

The commissioners appointed in pursuance of the sixth article of the treaty, met at Philadelphia in May last, to examine the claims of British subjects for debts contracted before the peace, and still remaining due to them from citizens or inhabitants of the United States. Various causes have hitherto prevented any determination; but the business is now resumed, and doubtless will be prosecuted without interruption.

Several decisions on the claims of citizens of the United States for losses and damages sustained by reason of irregular and illegal captures, or condemnations of their vessels or other property,

property, have been made by the commissioners in London, conformably to the seventh article of the treaty. The sums awarded by the commissioners have been paid by the British government. A considerable number of other claims, where costs and damages, and not captured property, were the only objects in question, have been decided by arbitration, and the sums awarded to the citizens of the United States have also been paid.

The commissioners appointed agreeably to the 21st article of our treaty with Spain met at Philadelphia, in the summer past, to examine and decide on the claims of our citizens for losses they have sustained, in consequence of their vessels and cargoes having been taken by the subjects of his Catholic Majesty, during the late war between Spain and France. Their letters have been intercepted, but now are returned.

The United States being obligated to make compensation for the latter, and damages sustained by British subjects, upon the award of the commissioners acting under the sixth article of the treaty with Great Britain, and for the losses sustained and damages incurred by British subjects, by reason of the capture of their vessels and merchandise, taken within the limits and jurisdiction of the United States, and brought into their ports, or taken by vessels originally armed in ports of the United States, upon the awards of the commissioners acting under the seventh article of the same treaty; it is necessary that provision be made for fulfilling these obligations.

The numerous captures of American vessels by the cruisers of the French republic, and of some by those of Spain, have occasioned considerable expenses in making and supporting the claims of our citizens before their tribunals. The sums required for the purpose have, in divers instances, been disbursed by the consuls of the United States. By means of the same captures, great numbers of our seamen have been ashore in foreign countries, destitute of all means of subsistence; and the sick, in particular, have been exposed to grievous sufferings. The consuls have, in these cases, also advanced monies for their relief. For these advances they reasonably expect reimbursements from the United States.

The consular act relative to seamen requires revision and amendment: the provisions for their support in foreign countries, and for their return, are found to be inadequate and ineffectual. Another provision seems necessary to be added to the consular act: some foreign vessels have been discovered sailing under the flag of the United States, and with foreign papers. It seldom happens that the consuls can detect this deception, because they have no authority to demand an inspection of the register and sea-letters.

Gentlemen of the House of Representatives,

It is my duty to recommend to your serious consideration those objects which, by the constitution, are placed particularly within your sphere—the national debt and taxes.

Since the decay of the feudal system, by which the public defence was provided for, chiefly at the expense of individuals, the system of loans has been introduced; and as no nation can raise within the year, by taxes, sufficient sums for its defence, and military operation in time of war, the sum loaned and debt contracted have necessarily become the subject of what have been called the funding systems.

The consequences arising from the continual accumulation of public debts in other countries, ought to admonish us to be careful to prevent their growth in our own. The national defence must be provided for, as well as the support of government; but both should be accomplished as much as possible by immediate taxes, and as little as possible by loans.

The estimates for the service of the ensuing year will, by my direction, be laid before you.

Gentlemen of the Senate, and Gentlemen of
the House of Representatives,

We are met together at a most interesting period. The situation of the principal powers of Europe is singular and portentous. Connected with some by treaties, and with all by commerce, no important event there can be indifferent to us. Such circumstances call, with a peculiar importunity, not less for a disposition to unite in all those measures on which the honour, safety, and prosperity of our country depend, than for all the exertions of wisdom and firmness.

In all such measures you may rely on my zealous and hearty concurrence.

JOHN ADAMS.

Message from the President of the United States to the House of Representatives, on the 19th March.

Gentlemen of the Senate, and Gentlemen of the
House of Representatives,

THE dispatches from the envoys extraordinary of the United States to the French republic, which were mentioned in my message to both Houses of Congress, have been examined and maturely considered.

While I feel a satisfaction in informing you, that their exertions for the adjustment of the differences between the two nations

tions have been sincere and unremitted, it is incumbent on me to declare, that I perceive no ground of expectation that the objects of their mission can be accomplished on terms compatible with the safety, honour, or the essential interests of the nation.

The result cannot, with justice, be attributed to any want of moderation on the part of this government, or to any indisposition to forego secondary interests for the preservation of peace. Knowing it to be my duty, and believing it to be your wish, as well as that of the great body of the people, to avoid, by all reasonable concessions, any participation in the contentions of Europe, the powers vested in our envoys were commensurate with a liberal and pacific policy, and that high confidence which might justly be reposed in the abilities, patriotism, and integrity of the characters to whom the negotiation was committed. After a careful review of the whole subject, with the aid of all the information I have received, I can discern nothing which could have insured or contributed to success, that has been omitted on my part, and nothing further which can be attempted, consistently with maxims for which our country has contended, at every hazard, and which constitute the basis of our national sovereignty.

Under these circumstances, I cannot forbear to reiterate the recommendations which have been formerly made, and to exhort you to adopt with promptitude, decision, and unanimity, such measures as the ample resources of the country afford, for the protection of our sea-faring and commercial citizens; for the defence of any exposed portions of our territory; for replenishing our arsenals, establishing founderies and military manufactures; and to provide such efficient revenue as will be necessary to defray extraordinary expenses, and supply the deficiencies which may be occasioned by depredations on our commerce.

The present state of things is so essentially different from that in which instructions were given to collectors to restrain vessels of the United States from sailing in an armed condition, that the principle on which those orders were issued, has ceased to exist. I therefore deem it proper to inform Congress, that I no longer conceive myself justifiable in continuing them, unless in particular cases, where there may be reasonable ground of suspicion that such vessels are intended to be employed contrary to law.

In all your proceedings it will be important to manifest a zeal, vigour, and concert, in defence of the national rights, proportioned to the danger with which they are threatened.

JOHN ADAMS.

United States, 19th March 1798.

Message

Message of the President of the United States to both Houses of Congress, April 3, 1798.

Gentlemen of the Senate, and Gentlemen of the
House of Representatives,

IN compliance with the request of the House of Representatives, expressed in their resolution of the second of this month, I transmit to both Houses those instructions to and dispatches from the envoys extraordinary of the United States to the French republic, which were mentioned in my message of the 19th of March last, omitting only some names, and a few expressions descriptive of the persons.

I request that they may be considered in confidence, until the members of Congress are fully possessed of their contents, and shall have had opportunity to deliberate on the consequences of their publication; after which time I submit them to your wisdom.

JOHN ADAMS.

United States, April 3d, 1798.

Instructions to Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry, Envoys Extraordinary and Ministers Plenipotentiary to the French Republic, referred to in the Message of the President of the United States, of the 3d April.

Gentlemen, *Department of State, July 15, 1797.*

IT is known to you, that the people of the United States of America entertained a warm and sincere affection for the people of France, ever since their arms were united in the war with Great Britain, which ended in the full and formal acknowledgment of the independence of these States. It is known to you that this affection was ardent, when the French determined to reform their government and establish it on the basis of liberty; that liberty in which the people of the United States were born, and which, in the conclusion of the war above mentioned, was finally and firmly secured. It is known to you, that this affection rose to enthusiasm, when the war was kindled between France and the powers of Europe, which were combined against her for the avowed purpose of restoring the monarchy; and every where vows were heard for the success of the French arms. Yet, during this period, France expressed no wish that the United States should depart from their neutrality. And while no duty required us to enter into the war, and our best interests urged us to remain at peace, the government determined to take a neutral station; which being taken, the duties of an impartial neutrality became indispensably binding.

binding. Hence the government early proclaimed to our citizens the nature of those duties, and the consequences of their violation.

The minister of France, Mr. Genet, who arrived about this time, by his public declaration, confirmed the idea, that France did not desire us to quit the ground we had taken. His measures, however, were calculated to destroy our neutrality, and to draw us into the war.

The principles of the proclamation of neutrality, founded on the law of nations, which is the law of the land, were afterwards recognised by the national legislature, and the observance of them enforced by specific penalties, in the act of Congress, passed the 5th of June 1794. By these principles and laws, the acts of the Executive, and the decisions of the courts of the United States, were regulated.

A government thus fair and upright in its principles, and just and impartial in its conduct, might have confidently hoped to be secure against formal official censure: but the United States have not been so fortunate. The acts of their government, in its various branches, though pure in principle and impartial in operation, and conformable to their indispensable rights of sovereignty, have been assigned as the cause of the offensive and injurious measures of the French republic. For proofs of the former all the acts of the government may be vouched; while the aspersions so freely uttered by the French ministers, the refusal to hear the minister of the United States, specially charged to enter on amicable discussions on all the topics of complaint, the decrees of the Executive Directory and of their agents, the depredations on our commerce, and the violence against the persons of our citizens, are evidences of the latter. These injuries and depredations will constitute an important subject of your discussions with the government of the French republic; and for all these wrongs you will seek redress.

In respect to the depredations on our commerce, the principal objects will be, to agree to an equitable mode of examining and deciding the claims of our citizens, and the manner and periods of making them compensation. As to the first, the seventh article of the British, and the twenty-first of the Spanish treaty, present approved precedents to be adopted with France. The proposal made of adjusting those claims by commissioners appointed on each side, is so perfectly fair, we cannot imagine it will be refused. But when the claims are adjusted, if payment in specie cannot be obtained, it may be found necessary to agree, in behalf of our citizens, that they shall accept public securities payable with interest at such periods as the state of the French finances shall render practicable. These periods you will endeavour, as far as possible, to shorten.

Not only the recent depredations under colour of the decrees of
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the Directory, of the 2d of July 1796, and the 2d of March 1797, or under the decrees of their agents, or the illegal sentences of their tribunals, but all prior ones, not already satisfactorily adjusted, should be put in this equitable train of settlement. To cancel many, or all of the last-mentioned claims, might be the effect of the decree of the Executive Directory of the 2d of March last, concerning the decree of the 9th of May 1793: but this being an *ex post facto* regulation, as well as a violation of the treaty between the United States and France, cannot be obligatory on the former. Indeed, the greater part, probably nearly all the captures and confiscations in question, have been committed in direct violation of that treaty, or of the law of nations. But the injuries arising from the capture of enemies property in vessels of the United States may not be very extensive; and if for such captured property the French government will, agreeably to the law of nations, pay the freight and reasonable demurrage, we shall not on this account any farther contend. But of ship timber and naval stores taken and confiscated by the French, they ought to pay the full value; because our citizens continued their traffic in those articles under the faith of the treaty with France. On these two points we ought to expect that the French government will not refuse to do justice: and the more because it has not, at any period of the war, expressed its desire that the commercial treaty should in this respect be altered.

Besides the claims of our citizens for depredations on their property, there are many arising from express contracts made with the French government, or its agents, or founded on the seizure of their property in French ports. Other claims have arisen from the long detention of a multitude of our vessels in the ports of France. The wrong hereby done to our citizens was acknowledged by the French government, and in some, perhaps in most of the cases, small payments towards indemnifications have been made: the residue still remains to be claimed.

All these just demands of our citizens will merit your attention. The best possible means of compensation must be attempted. These will depend on what you shall discover to be practicable in relation to the French finances. But an exception must be made in respect to debts due to our citizens by the contracts of the French government and its agents, if they are comprehended in any stipulation; and an option reserved to them, jointly or individually, either to accept the means of payment which you shall stipulate, or resort to the French government directly for the fulfilment of its contracts.

Although the reparation for losses sustained by the citizens of the United States, in consequence of irregular or illegal captures or condemnations, or forcible seizures or detentions, is of very high importance, and is to be impressed with the greatest earnestness,

ness, yet it is not to be insisted on as an indispensable condition of the proposed treaty. You are not, however, to renounce these claims of our citizens, nor to stipulate that they be assumed by the United States as a loan to the French government.

In respect to the alterations of the commercial treaty with France, in the two cases which have been principal subjects of complaint on her part, viz. enemies property in neutral ships, and the articles contraband of war; although France can have no right to claim the annulling of stipulations at the moment when by both parties they were originally intended to operate; yet if the French government press for alterations, the President has no difficulty in substituting the principles of the law of nations, as stated in the 17th and 18th articles of our commercial treaty with Great Britain, to those of the 23d and 24th articles of our commercial treaty: and in respect to provisions, and other articles not usually deemed contraband, you are to agree only on a temporary compromise, like that in the 18th article of the British treaty, and of the same duration. If, however, in order to satisfy France, now she is at war, we change the two important articles before mentioned, then the 14th article of the French treaty, which subjects the property of the neutral nation found on board enemies ships to capture and condemnation, must of course be abolished.

We have witnessed so many erroneous constructions of the treaty with France, even in its plainest parts, it will be necessary to examine every article critically, for the purpose of preventing, as far as human wisdom can prevent, all future misinterpretations. The kind of documents necessary for the protection of the neutral vessels should be enumerated, and minutely described; the cases in which a sea-letter should be required may be specified; the want of a sea-letter should not of itself be a cause of confiscation, where other reasonable proof of property is produced; and where such proof is furnished, the want of a sea-letter should go no further than to save the captor from damages for detaining and bringing in the neutral vessel. The proportions of the vessel's crew which may be foreigners, should be agreed on. Perhaps it will be expedient to introduce divers other regulations conformably to the marine laws of France. Whenever these are to operate on the commerce of the United States, our safety requires, that, as far as possible, they be fixed by treaty. And it will be desirable to stipulate against any *ex post facto* laws or regulation, under any pretence whatever.

Great Britain has often claimed a right, and practised upon it, to prohibit neutral nations carrying on a commerce with her enemies which had not been allowed in time of peace. On this head it will be desirable to come to an explicit understanding with France; and, if possible, to obviate the claim by an express stipulation.

Such extreme depredations have been committed on the commerce of neutrals, and especially on the United States, by the citizens of France, under pretence that her enemies (particularly Great Britain) have done the same things, it will be desirable to have it explicitly stipulated, that the conduct of an enemy towards a neutral power shall not authorize or excuse the other belligerent power in any departure from the law of nations, or the stipulations of the treaty : especially that the vessels of the neutral nation shall never be captured or detained, or their property confiscated or injured, because bound to or from an enemy's port, except the case of a blockaded port, the entering into which may be prevented according to the known rule of the law of nations. And it may be expedient to define a blockaded place or port to be one actually invested by land or naval forces, or both ; and that no declaration of a blockade shall have any effect without such actual investment. And no commercial right whatever shall be abandoned which is secured to neutral powers by the European law of nations.

The foregoing articles being those which the French government has made the ostensible grounds of its principal complaints, they have naturally been first brought to view. But the proposed alterations and arrangements suggest the propriety of revising all our treaties with France. In such revision, the first object that will attract your attention is, the reciprocal guarantee in the 11th article of the treaty of alliance. The guarantee we are perfectly willing to renounce. The guarantee by France of the liberty, sovereignty, and independence of the United States, will add nothing to our security, while, on the contrary, our guarantee of the possessions of France in America will perpetually expose us to the risk and expence of war, or to disputes and questions concerning our national faith.

When Mr. Genet was sent as the minister of the French republic to the United States, its situation was embarrassed, and the success of its measures problematical. In such circumstances it was natural that France should turn her eye to the mutual guarantee ; and accordingly it was required, in Mr. Genet's instructions, to be "an essential clause in the new treaty," which he was to propose ; and on the ground, that "it nearly concerned the peace and prosperity of the French nation, that a people, whose resources increase beyond all calculation, and whom nature had placed so near their rich colonies, should become interested by their own engagements in the preservation of those islands." But at this time, France, powerful by her victories, and secure in her triumphs, may less regard the reciprocal guarantee with the United States, and be willing to relinquish it. As a substitute for the reciprocal guarantee, may be proposed a mutual renunciation of the same territories and possessions that were subjects of the guarantee and renunciation in the 6th and 11th articles of the treaty of alliance.

ance. Such a renunciation on our part, would obviate the reason assigned in the instruction to Mr. Genet before cited, of future danger from the rapidly growing power of the United States. But if France insists on the mutual guarantee, it will be necessary to aim at some modification of it.

The existing engagement is of that kind, which, by writers on the law of nations, is called a general guarantee; of course *casus fœderis* can never except in a defensive war. The nature of this obligation is understood to be, that, when a war really and truly defensive exists, the engaging nation is bound to furnish an effectual and adequate defence in co-operation with the power attacked: whence it follows, that the nation may be required, in some circumstances, to bring forward its whole force. The nature and extent of the succours demandable not being ascertained, engagements of this kind are dangerous on account of their uncertainty: there is always hazard of doing too much or too little, and of course of being involved in involuntary rupture.

Specific succours have the advantage of certainty, and are less liable to occasion war. On the other hand, a general guarantee allows a latitude for the exercise of judgment and discretion.

On the part of the United States, instead of troops or ships of war, it will be convenient to stipulate for a moderate sum of money or quantity of provisions, at the option of France: the provisions to be delivered at our own ports, in any future defensive wars. The sum of money, or its value in provisions, ought not to exceed two hundred thousand dollars a year, during any such wars. The reciprocal stipulation on the part of France may be to furnish annually the like sum of money, or an equivalent in military stores and clothing for troops, at the option of the United States, to be delivered in the ports of France.

Particular caution, however, must be used, in discussing this subject, not to admit any claims on the ground of the guarantee in relation to the existing war; as we do not allow that the *casus fœderis* applies to it. And if the war should continue after your arrival in France, and the question of the guarantee should not be mentioned on her part, you may yourselves be silent on the subject, if you deem it most prudent.

It will be proper here to notice such articles of the treaty of amity and commerce between the United States and France, as have been differently construed by the two governments, or which it may be expedient to amend or explain.

Article 2. The assent of the United States, in their treaty with Great Britain, to the doctrine of the law of nations respecting enemies property in neutral ships, and ship timber and naval stores, and, in some cases, provisions, as contraband of war, the French government has chosen to consider as a voluntary grant of favours, in respect to commerce and navigation, to Great Britain, and that

that consequently the same favours have become common to France. This construction is so foreign from our ideas of the meaning and design of this article, it shows the necessity of reviewing all the articles, and, however clear they may appear, of attempting to obviate future misconstructions by declaratory explanations, or a change of terms.

Article 5 France has repeatedly contended, that the imposition of 50 *per cent. per ton* on French vessels arriving in the United States, is contrary to the 5th article of the treaty. The argument in support of this pretension is unknown; but it is presumed to be unfounded. The reciprocal right of laying "duties or imposts of what nature soever," equal to those imposed on the most favoured nations, and without any other restrictions, seems to be clearly settled by the 3d and 4th articles. The 5th article appears to have been intended merely to define and qualify the rights of American vessels in France. It is however desirable that the question be understood, and all doubts concerning it removed. But the introduction of a principle of discrimination between the vessels of different foreign nations, and in derogation of the powers of Congress to raise revenue by uniform duties on any objects whatever, cannot be hazarded. The naturalization of French vessels will of course be considered as inadmissible.

Article 8. The stipulation of doing us good offices, to secure peace to the United States with the Barbary powers, has never yet procured us any advantage. If, therefore, the French government lays any stress on this stipulation, as authorizing a claim for some other engagements from us in favour of France, it may be abandoned; and especially if its abrogation can be applied as a set-off against some existing French claim.

Article 14. If the alterations already proposed are made in the 23d and 24th articles, then the 14th article, as before observed, must be abolished.

Article 17. The construction put on this article by the government of the United States is conceived to be reasonable and just, and is therefore to be insisted on. The tribunals of the respective countries will consequently be justified in taking cognisance of all captures made within their respective jurisdictions, or by illegal privateers; and those of one country will be deemed illegal which are fitted out in the country of the other remaining neutral: seeing, to permit such arming would violate the neutral duties of the latter.

It will be expedient to fix explicitly the reception to be given to public ships of war of all nations. The French ministers have demanded, that the public ships of the enemies of France, which at any time, and in any part of the world, had made prize of a French vessel, should be excluded from the ports of the United States, and although they brought in no prize with them. In
opposition

opposition to this demand, we have contended that they were to be excluded only when they came in with French prizes. And the kind of asylum to be afforded, in all other circumstances, is described in Mr. Jefferson's letter to Mr. Hammond, dated the 9th of September 1793, in the following words: " Thus, then, the public ships of war of both nations (English and French) enjoy a perfect equality in our ports; 1st, in cases of urgent necessity; 2d, in cases of comfort and convenience; and 3d, in the time they choose to continue." And such shelter and accommodation are due to the public ships of all nations, on the principle of hospitality among friendly nations.

It will also be expedient explicitly to declare, that the right of asylum stipulated for the armed vessels of France and their prizes gives no right to make sale of those prizes.

But when prize ships are so disabled as to be incapable of putting to sea again until refitted, and when they are utterly disabled, some provision is necessary relative to their cargoes. Both cases occurred last year. The government permitted, though with hesitation and caution, the cargoes to be unloaded, one of the vessels to be repaired, and part of the prize goods sold, to pay for the repairs; and the cargo of the vessel that was found unfit ever to go to sea again was allowed to be exported as prize goods even in neutral bottoms. The doubts on these occasions arose from the 24th article of the British treaty, forbidding the sale of the prizes of privateers, or the exchanging of the same in any manner whatever. But as French prizes were entitled to an asylum in our ports, it was conceived to be a reasonable construction of it to allow of such proceedings as those above mentioned, to prevent the total loss of vessels and cargoes. The 25th article of the British treaty demands attention; and it is therein stipulated, that no future treaty shall be made that shall be inconsistent with that or the 24th article. Another doubt arose, whether the British treaty did not, in good faith, require the prohibition of the sale of prizes made by the national ships of France, as well as of those made by her privateers; especially seeing our treaty with France gave her no right to sell any prizes whatever; but upon the whole it was conceived, that the United States, having before allowed the sale of such prizes, and the prohibitions in the 24th article of the treaty being distinctly pointed against the sale of the prizes of privateers, it was thought proper to permit the former practice to continue, until the Executive should make and publish a prohibition of the sale of all prizes, or that Congress should pass a prohibitory law.

Article 22. If, in new-modelling the treaty with France, the total prohibition of the sale of prizes in the ports of the party remaining neutral should not be agreed on, at least the right of each power to make at its pleasure such prohibition, whether they

they are prizes of national ships or privateers, should be acknowledged for the reason more than once suggested—to prevent a repetition of claims upon unfounded constructions; such as under the present article, that a prohibition to an enemy of either party is a grant to the other of the thing forbidden.

Articles 23 and 24. These have been already considered, and the alterations proposed have been mentioned.

There have been so many unjust causes and pretences assigned for capturing and confiscating American vessels, it may perhaps be impossible to guard against a repetition of them in any treaty which can be devised. To state the causes and pretences that have been already advanced by the government of France, its agents and tribunals, as the grounds of the capture and condemnation of American vessels and cargoes, would doubtless give pain to any ingenuous mind who should be employed on the part of France to negotiate another treaty, or a modification of the treaties which exist. It is not desired, therefore, to go farther into detail on these matters, than shall be necessary to guard by explicit stipulations against future misconstructions, and the mischiefs they will naturally produce.

Under pretence that certain ports were surrendered to the English by the treachery of the French and Dutch inhabitants, Victor Hugues and Lebas, the special agents of the Executive Directory at Guadaloupe, have declared, that all neutral vessels bound to or from such ports shall be good prize.

Under the pretence that the British were taking all neutral vessels bound to or from French ports, the French agents at St. Domingo (Santhonax and others) decreed, that all American vessels bound to or from English ports should be captured; and they have since declared such captured vessels to be good prize. The French consuls in Spain have, on the same ground, condemned a number of American vessels, merely because they were destined to or coming from an English port.

Under the pretence that the sea-letters, or passports, prescribed by the commercial treaty for the mutual advantage of the merchants and navigators of the two nations, to save their vessels from detention and other vexations, when met with at sea, by presenting so clear a proof of the property, are an indispensable document to be found on board, the French confiscate vessels destitute of them, even when they acknowledge the property to be American.

Because horses and their military furniture, when destined to any enemy's ports, are by the 24th article of the commercial treaty declared contraband, and as such by themselves only liable to confiscation, Hugues and Lebas decreed all neutral vessels having horses or any other contraband goods on board should be good prize; and they accordingly condemned vessels and cargoes.

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The ancient ordinances of the French monarchs required a variety of papers to be on board neutral vessels, the want of any one of which is made a cause of condemnation; although the 25th article of the commercial treaty mentions what certificates shall accompany the merchant vessels and cargoes of each party, and which, by every reasonable construction, ought to give them protection.

It will therefore be advisable to guard against abuses by descending to particulars, to describe the ship's papers which shall be required, and to declare, that the want of any other shall not be a cause for confiscation: to fix the mode of manning vessels as to the officers, and the proportion of the crews who shall be citizens; endeavouring to provide, in respect to American vessels, that more than one third may be foreigners. This provision will be important to the southern states, which have but few native seamen.

The marine ordinances of France will show what regulations have been required to be observed by allies, as well as neutral powers in general, to ascertain and secure the property of neutrals. Some of these regulations may be highly proper to be adopted, while others may be inconvenient and burdensome. Your aim will be to render the documents and formalities as few and as simple as will consist with a fair and regular commerce.

Articles 25 and 27. These two articles should be rendered conformable to each other. The 27th says, that, after the exhibition of the passport, the vessel shall be allowed to pass without molestation or search, without giving her chase, or forcing her to quit her intended course. The 25th requires, that, besides the passport, vessels shall be furnished with certain certificates, which of course must also be exhibited. It will be expedient to add, that if, in the face of such evidence, the armed vessel will carry the other into port, and the papers are found conformable to treaty, the captors shall be condemned in all the charges, damages, and interests thereof, which they shall have caused. A provision of this nature is made in the 11th article of our treaty with the United Netherlands.

Article 28. The prohibited goods here mentioned have no relation to contraband, but merely to such as by the laws of the country are forbidden to be exported. Yet, in the case of exporting horses from Virginia, which no law prohibited, in the winter of 1766, this article was applied by the French minister to horses, which by the French treaty are contraband of war. And a letter from the minister to Victor Hugues and Lebas, informing them that the American government refused to prevent such export of horses by the British, is made one ground for their decree above mentioned.

Article 30. The vessels of the United States ought to be admitted into France in the same manner as the vessels of France are admitted into the ports of the United States. But such a stipulation ought not to authorize the admission of vessels of either party into the ports of the other, into which the admission of all foreign vessels shall be forbidden by the laws of France and of the United States respectively. With this restriction, the principles of the 14th article of the treaty with Great Britain afford a liberal and unexceptionable precedent. A restriction like that here referred to will be found in the first paragraph of the third article of the British treaty.

The commerce to the French colonies in the East and West Indies will doubtless be more or less restricted, according to the usage of other European nations. Yet, on account of the disarranged condition of the French navigation, probably a larger latitude of trade with their colonies will be readily permitted for a term of years: and perhaps the mutual advantages thence resulting will be found so great as to induce afterwards a prolongation of that term, to which the course or habit of business may contribute.

While between the United States and France there shall subsist a perfect reciprocity in respect to commerce, we must endeavour to extend our trade to her colonies to as many articles as possible. Of these the most important are, provisions of all kinds, as beef, pork, flour, butter, cheese, fish, grain, pulse, live stock, and every other article serving for food, which is the produce of the country, horses, mules, timber, plants, and wood of all kinds, cabinet ware, and other manufactures of the United States; and to obtain in return all the articles of the produce of those colonies, without exception; at least to the value of the cargoes carried to those colonies.

There have been different constructions of the consular convention. The French have contended for the execution of their consular decisions by the marshal or other officer of the United States; and their minister of justice has formally stated, in a report to the minister of foreign affairs, that the judicial sentences of the American consuls in France will be executed by certain officers of justice in that country. The legal opinion of the law officers of the United States, which the government had adopted, opposes such a construction. The French have also contended, that deserters from French vessels ought to be apprehended by the judicial officers of the United States, upon other evidence than the original shipping paper, or *role d'équipage*; whereas the district judges have insisted, that the consular convention requires the original roll to be produced. This claim was lately revived by the consular general of the French Republic. The correspondence on this occasion

occasion will be joined to the other documents which accompany these instructions.

The United States cannot consent to the erecting of foreign tribunals within their jurisdiction. We consider the judicial authority of consuls, as described in the consular convention, to be voluntary, not compulsory, in the country where they reside; and that their decisions, if not obeyed by the parties respectively, must be enforced by the laws of their proper country: and such a provision you will see has been made in France, where a penalty of 1400 livres is imposed on the citizen who refuses obedience to a consular decision in a foreign state.

The consular constitution will expire in about four years; and if any great difficulties arise in the settling the terms of a new one, that which exists must take its course; but if the French government should be silent on the subject of a consular convention, silence may be observed on our part.

The ports of the United States being frequented by the vessels of different belligerent powers, it became necessary to regulate the times of their sailing. The President, therefore, adopted what was understood to be the received rule in Europe; and ordered, that after the sailing of a vessel of one of the belligerent powers, twenty-four hours should elapse before an armed vessel of an enemy of the former should set sail. This rule has not been duly respected by the armed vessels of France and Great Britain.

As the tranquillity of the United States requires that no hostile movements be commenced within their jurisdiction, and the interests of commerce demand an entire freedom to the departure of vessels from their ports, it may be expedient expressly to recognise the above-mentioned rule.

It will also be expedient to agree on the extent of territorial jurisdiction on the sea-coast, and in what situation bays and sounds may be said to be land-locked, and within the jurisdiction of the sovereign of the adjacent country.

On the supposition that a treaty will be negotiated to alter and amend the treaties which now exist between France and the United States, the following leading principles, to govern the negotiation, are subjoined:

1. Conscious integrity authorizes the government to insist, that no blame or censure be directly or indirectly imputed to the United States. But, on the other hand, however exceptionable in the view of our own government, and in the eyes of an impartial world, may have been the conduct of France, yet she may be unwilling to acknowledge any aggressions, and we do not wish to wound her feelings or to excite resentment. It will, therefore, be best to adopt on this point the principle of the British treaty, and "terminate our differences in such manner, as, without re-

ferring to the merits of our respective complaints and pretensions, may be the best calculated to produce mutual satisfaction and good understanding."

2. That no aid be stipulated in favour of France during the present war.

3. That no engagements be made inconsistent with the obligations of any prior treaty.

4. That no restraint on our lawful commerce with any other nation be admitted.

5. That no stipulation be made, under colour of which tribunals can be established within our jurisdiction, or personal privileges claimed by French citizens, incompatible with the complete sovereignty and independence of the United States in matters of policy, commerce, and government.

It will be expedient to limit the duration of the treaty to a term of from ten to twenty years. Such changes in the circumstances of the two parties are likely to happen within either of those periods, as to give one or both good reason to desire a change in the conditions of the treaty. From this limitation may be excepted such articles as are declaratory of a state of peace, or as are intended to regulate the conduct of the two nations at the commencement of, or during a state of war, or which are founded in morality and justice, and are in their nature of perpetual obligation. Of this kind may be considered the 10th article of the treaty with Great Britain; which therefore may very properly be introduced into the treaty with France.

Finally, the great object of the government being to do justice to France and her citizens, if in any thing we have injured them; to obtain justice for the multiplied injuries they have committed against us; and to preserve peace; your style and manner of proceeding will be such as shall most directly tend to secure these objects. There may be such a change of men and measures in France as will authorize, perhaps render politic, the use of strong language, in describing the treatment we have received. On the other hand, the French government may be determined to frustrate the negotiation, and throw the odium on this country; in which case, any thing like warmth and harshness would be made the pretext. If things remain in their present situation, the style of representation will unite, as much as possible, calm dignity with simplicity, force of sentiment with mildness of language, and be calculated to impress an idea of inflexible perseverance, rather than of distrust or confidence.

With these instructions you will receive the following documents:

1. The printed state papers, containing the correspondence between the secretary of state and the French minister, Mr. Genet.

2. The

2. The letter dated January 16th, 1797, from the Secretary of State to General Pinckney, and the documents therein referred to, in which all the known complaints of the French government, since the recall of Mr. Genet, are exhibited and discussed.

3. A report from the Secretary of State to the House of Representatives, dated the 27th of February 1797, exhibiting the state of American claims which had been presented to the French government (but few of which had been satisfied), together with some other information relative to the depredations by the officers and people of that nation on the commerce of the United States.

4. A report made by the Secretary of State to the President of the United States, on the 21st of June 1797, and by him laid before Congress on the 22d.

5. Certain original depositions, protests, and other papers, relative to the French spoliations on the commerce, and personal insults and injuries to the citizens, of the United States.

6. The documents laid before the House of Representatives the 17th of May 1797, relative to General Pinckney's mission to Paris, and comprehending some papers relative to the capture and condemnation of American vessels by the French.

7. The correspondence with the French consul-general Lecombe.

TIMOTHY PICKERING, Secretary of State.

Credence for Messrs. Pinckney, Marshall, and Gerry, Envoys to France.

John Adams, President of the United States of America, to the Executive Directory of the French Republic.

Citizens Directors,

DESIROUS of terminating all differences between the United States of America and the French republic, and of restoring that harmony and good understanding, and that commercial and friendly intercourse, which, from the commencement of their political connexion, until lately, have so happily subsisted, I have nominated, and by and with the advice and consent of the Senate of the United States, appointed Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry, distinguished citizens of these States, jointly and severally, envoys extraordinary and ministers plenipotentiary to the French republic, for the purpose of accomplishing the great objects above mentioned: wherefore I pray you, Citizens Directors, to give full credence to what they and each of them shall say to you in these respects, in behalf of the United States,

States, and also when they shall assure you of the sincerity of our wishes for the welfare of the French republic.

Given under my hand, and the great seal of the United States of America, at Philadelphia, the 13th day of July, in the year 1797, and of the independence of these States the twenty-second.

JOHN ADAMS.

By the President of the United States,

TIMOTHY PICKERING, Secretary of State.

Full Powers to Messrs. Pinckney, Marshall, and Gerry, Envoys to France.

John Adams, President of the United States of America, to all whom these Presents shall concern, greeting :

KNOW ye, That, for the purpose of terminating all differences between the United States of America and the French republic, and of restoring and confirming perfect harmony and good understanding, and re-establishing a commercial and friendly intercourse between them, and reposing especial trust and confidence in the integrity, prudence, and abilities of Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry, citizens of the said United States, I have nominated, and by and with the advice and consent of the Senate appointed, the said Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry, jointly and severally, envoys extraordinary and ministers plenipotentiary of the United States to the French republic, hereby giving and granting to them, and any and each of them, full power and authority, and also a general and special command, for and in the name of the United States, to meet and confer with the ministers, commissioners, or deputies of the French republic, being furnished with the like full powers, whether separately or jointly, and with them to treat, consult, and negotiate, of and concerning all claims, and all matters and causes of difference subsisting between the United States and the French republic, for the purpose of satisfying and terminating the same in a just and equitable manner ; and also of and concerning the general commerce between the United States and France, and all other the dominions of the French republic ; and to conclude and sign a treaty or treaties, convention or conventions, touching the premises ; transmitting the same to the President of the United States of America for his final ratification, by and with the advice and consent of the Senate of the United States, if such advice and consent shall be given.

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In testimony whereof, -I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the city of Philadelphia, the 22d day of June, in the year of our Lord 1797, and of the independence of the United States of America the twenty-first.

JOHN ADAMS.

By the President of the United States,

TIMOTHY PICKERING, Secretary of State.

Department of State, April 3, 1798.

THE names designated by the letters W. X. Y. Z. in the following copies of letters from the envoys of the United States to the French republic, are, in the originals, written at full length, in ciphers. For the same reason that single letters are thus taken to designate certain persons named in the letters, other words descriptive of them are omitted.

TIMOTHY PICKERING.

No. I.

Dear Sir,

Paris, Oct. 22, 1797.

ALL of us having arrived at Paris on the evening of the 4th instant, on the next day we verbally and unofficially informed the minister of foreign affairs therewith, and desired to know when he would be at leisure to receive one of our secretaries with the official notification. He appointed the next day at two o'clock; when Major Rutledge waited on him with the following letter:

“ Citizen Minister,

“ The United States of America being desirous of terminating all differences between them and the French republic, and of restoring that harmony and good understanding, and that commercial and friendly intercourse, which from the common cement of their political connexion, until lately, have so happily subsisted, the President has nominated, and by and with the advice of the Senate, has appointed us, the undersigned, jointly and severally, envoys extraordinary and ministers plenipotentiary to the French republic, for the purpose of accomplishing these great objects. In pursuance of such nomination and appointment, and with such view, having come to Paris, we with, Citizen Minister, to wait on you at any hour you will be pleased to appoint, to present the copy of our letters of credence; and whilst we evince our sincere and ardent desire for the speedy restoration of friendship and harmony between the two republics, we flatter ourselves with your

concurrency

concurrence in the accomplishment of this desirable event. We request you will accept the assurance of our perfect esteem and consideration.

" Paris, Oct. 6th, in the 21st year of
American independence.

(Signed) " CHARLES COTESWORTH PINCKNEY.

" JOHN MARSHALL.

" ELBRIDGE GERRY."

To this letter the minister gave a verbal answer, that he would see us the day after the morrow (the 8th) at one o'clock. Accordingly at that hour and day we waited on the minister at his house where his office is held, when, being informed he was not at home, the secretary general of the department told Major Rutledge, that the minister was obliged to wait on the Directory, and requested he would suspend our visit till three o'clock; at which hour we called. The minister we found was then engaged with the Portuguese minister, who retired in about ten minutes, when we were introduced, and produced the copy of our letters of credence, which the minister perused and kept. He informed us, " that the Directory had required him to make a report relative to the situation of the United States with regard to France, which he was then about, and which would be finished in a few days, when he would let us know what steps were to follow." We asked if cards of hospitality were in the mean time necessary? He said they were, and that they should be delivered to us; and he immediately rung for his secretary, and directed him to make them out. The conversation was carried on by him in French, and by us in our own language.

The next day the cards of hospitality were sent to us and our secretaries, in a style suitable to our official character.

On Saturday the 14th, Major Mountflorencia informed General Pinckney, that he had a conversation with Mr. Osmond, the private and confidential secretary of the minister of foreign affairs, who told him, that the Directory were greatly exasperated at some parts of the President's speech at the opening of the last session of Congress, and would require an explanation of them from us. The particular parts were not mentioned. In another conversation on the same day, the secretary informed the major that the minister had told him it was probable we should not have a public audience of the Directory till such time as our negotiation was finished; that probably persons might be appointed to treat with us; but they would report to him, and he would have the direction of the negotiation. The major did not conceal from Mr. Osmond his intention to communicate these conversations to us.

In the morning of October the 18th, Mr. W——, of the
house

house of _____, called on General Pinckney, and informed him, that a Mr. X. who was in Paris, and whom the general had seen _____, was a gentleman of considerable credit and reputation _____, and that we might place great reliance on him.

In the evening of the same day, Mr. X. called on General Pinckney, and after having sat some time _____; whispered him, that he had a message from M. Talleyrand to communicate, when he was at leisure. General Pinckney immediately withdrew with him into another room; and when they were alone, Mr. X. said, that he was charged with a business in which he was a novice; that he had been acquainted with M. Talleyrand _____, that he was sure he had a great regard for [America] and its citizens; and was very desirous that a reconciliation should be brought about with France; that to effectuate that end, he was ready, if it was thought proper, to suggest a plan, confidentially, that M. Talleyrand expected would answer the purpose.

General Pinckney said, he should be glad to hear it. M. X. replied, that the Directory, and particularly two of the members of it, were exceedingly irritated at some passages in the President's speech, and desired that they should be softened; and that this step would be necessary previous to our reception: that besides this, a sum of money was required for the pocket of the Directory and ministers, which would be at the disposal of M. Talleyrand; and that a loan would also be insisted on. M. X. said, if we acceded to these measures, M. Talleyrand had no doubt that all our differences with France might be accommodated. On inquiry, M. X. could not point out the particular passages of the speech that had given offence, nor the quantum of the loan; but mentioned that the douceur for the pocket was twelve hundred thousand livres, about fifty thousand pounds sterling. General Pinckney told him, his colleagues and himself, from the time of their arrival here, had been treated with great slight and disrespect; that they earnestly wished for peace and reconciliation with France; and had been entrusted by their country with very great powers to obtain these ends, on honourable terms: that with regard to the propositions made, he could not even consider of them before he had communicated them to his colleagues: that after he had done so, he should hear from him. After a communication and consultation had, it was agreed, that General Pinckney should call on M. X. and request him to make his propositions to us all; and for fear of mistakes or misapprehension, that he should be requested to reduce the heads into writing. Accordingly, on the morning of October the 19th, General Pinckney called on M. X. who consented to see his colleagues in the evening, and to reduce his propositions to writing. He said, his

communication was not immediately with M. Talleyrand, but through another gentleman, in whom M. Talleyrand had great confidence. This proved afterwards to be M. Y.

At six in the evening M. X. came, and left with us the first set of propositions; which, translated from the French, are as follows: "A person who possesses the confidence of the Directory on what relates to the affairs of America, convinced of the mutual advantages which would result from the re-establishment of a good understanding between the two nations, proposes to employ all of his influence to obtain this object.—He will assist the commissioners of the United States in all the demands which they may have to make from the government of France, inasmuch as they may not be contradictory to those which he proposes himself to make, and of which the principal will be communicated confidentially. It is desired that in the official communications there should be given a softening turn to a part of the President's speech to Congress, which has caused much irritation. It is feared that in not satisfying certain individuals in this respect, they may give way to all their resentment. The nomination of commissioners will be consented to on the same footing as they have been named in the treaty with England, to decide on the reclamations which individuals of America may make on the government of France, or on French individuals. The payments which, agreeably to the decisions of the commissioners, shall fall to the share of the French government, are to be advanced by the American government itself. It is desired that the funds which by this means shall enter again into the American trade, should be employed in new supplies for the French colonies. Engagements of this nature on the part of individuals reclaiming will always hasten in all probability, the decisions of the French commissioners: and perhaps it may be desired that this clause should make a part of the instructions which the government of the United States should give to the commissioners they may choose.

"The French government desires, besides, to obtain a loan from the United States; but so that that should not give any jealousy to the English government, nor hurt the neutrality of the United States. This loan shall be masked, by stipulating, that the government of the United States consents to make the advance for the payment of the debts contracted by the agents of the French government with the citizens of the United States; and which are already acknowledged, and the payment ordered by the Directory, but without having been yet effectuated.—There should be delivered a note to the amount of these debts. Probably this note may be accompanied by ostensible pieces, which will guarantee to the agents the responsibility of the United States, in case any umbrage should cause an inquiry. There shall also be
fir

first taken from this loan—certain sums, for the purpose of making the customary distributions in diplomatic affairs.”

The person of note mentioned in the minutes, who had the confidence of the Directory, he said, before us all, was M. Talleyrand. The amount of the loan he could not ascertain precisely, but understood it would be according to our ability to pay. —The sum which would be considered as proper, according to the diplomatic usage, was about twelve hundred thousand livres. He could not state to us what parts of the President's speech were excepted to, but said he would inquire and inform us. He agreed to breakfast with Mr. Gerry the morning of 21st, in order to make such explanations as we had then requested, or should think proper to request: but on the morning of the 20th, M. X. called, and said, that M. Y. the confidential friend of M. Talleyrand, instead of communicating with us through M. X. would see us himself, and make the necessary explanations. We appointed to meet him the evening of the 20th, at seven o'clock, in General Marshall's room. At seven, M. Y. and M. X. entered; and the first mentioned gentleman, being introduced to us as the confidential friend of M. Talleyrand, immediately stated to us the favourable impressions of that gentleman towards our country, impressions which were made by the kindness and civilities he had personally received in America: that, impressed by his solicitude to repay these kindnesses, he was willing to aid us in the present negotiation by his good offices with the Directory, who were, he said, extremely irritated against the government of the United States, on account of some parts of the President's speech, and who had neither acknowledged nor received us, and consequently have not authorized M. Talleyrand to have any communications with us. The minister, therefore, could not see us himself, but had authorized his friend M. Y. to communicate to us certain propositions, and to receive our answers to them—and to promise on his part, that if we would engage to consider them as the basis of the proposed negotiation, he would intercede with the Directory to acknowledge us, and to give us a public audience. M. Y. stated to us explicitly and repeatedly, that he was clothed with no authority; that he was not a diplomatic character; that he was not he was only the friend of M. Talleyrand, and trusted by him; that with regard to himself, he had and that he earnestly wished well to the United States. He then took out of his pocket a French translation of the President's speech, the parts of which objected to by the Directory were marked agreeably to our request to M. X. and are contained in the exhibit A. Then he made us the second set of propositions, which were dictated by him and written by M. X. in our presence,

sence, and delivered to us, and which, translated from the French, are as follows:

" There is demanded a formal disavowal in writing, declaring that the speech of the citizen president Barras did not contain any thing offensive to the government of the United States, nor any thing which deserved the epithets contained in the whole paragraph: secondly, reparation is demanded for the article by which it shall be declared, that the decree of the Directory there mentioned did not contain any thing contrary to the treaty of 1778 and had none of those fatal consequences that the paragraph reproaches to it: thirdly, it is demanded, that there should be an acknowledgment, in writing, of the depredations exercised on our trade by the English and French privateers: fourthly, the government of France, faithful to the profession of public faith which it has made not to intermeddle in the internal affairs of foreign governments with which it is at peace, would look upon this paragraph as an attack upon its loyalty, if this was intended by the President.—It demands, in consequence, a formal declaration, that it is not the government of France nor its agents that this paragraph meant to designate. In consideration of these reparations, the French republic is disposed to renew with the United States of America a treaty which shall place them reciprocally in the same state that they were in 1778.

" By this new treaty, France shall be placed, with respect to the United States, exactly on the same footing as they stand with England, in virtue of the last treaty which has been concluded between them. A secret article of this new treaty would be: loan to be made by the United States to the French republic; and once agreed upon the amount of the loan, it would be endeavoured to consult the convenience of the United States with respect to the best method of preventing its publicity."

On reading the speech, M. Y. dilated very much upon the keenness of the resentment it had produced, and expatiated largely on the satisfaction he said was indispensably necessary as preliminary to negotiation. " But," said he, " Gentlemen, will not disguise from you, that, this satisfaction being made the essential part of the treaty remains to be adjusted: " *Il faut de l'argent—il faut beaucoup d'argent*: " You must pay money, you must pay a great deal of money." He spoke much of the force of the honour, and the jealous republican pride of France; and represented to us strongly the advantages which we should derive from the neutrality thus to be purchased. He said, that the receipt of the money might be so disguised as to prevent its being considered as a breach of neutrality by England; and thus save us from being embroiled with that power. Concerning the twelve hundred thousand livres little was said; that being completely understood on all sides to be required for the officers of government

ment, and therefore needing no further explanation. These propositions, he said, being considered as the admitted basis of the proposed treaty, M. Talleyrand trusted, that, by his influence with the Directory, he could prevail on the government to receive us. We asked, whether we were to consider it as certain that, without a previous stipulation to the effect required, we were not to be received? He answered, that M. Talleyrand himself was not authorized to speak to us the will of the Directory, and consequently could not authorize him. The conversation continued till half after nine, when they left us, having engaged to breakfast with Mr. Gerry the next morning.

October 21st, M. X. came before nine o'clock; M. Y. did not come until ten; he had passed the morning with M. Talleyrand. After breakfast the subject was immediately resumed. He represented to us that we were not yet acknowledged or received; that the Directory were so exasperated against the United States, as to have come to a determination to demand from us, previous to our reception, those disavowals, reparations, and explanations, which were stated at large last evening. He said, that M. Talleyrand and himself were extremely sensible of the pain we must feel in complying with this demand; but that the Directory would not dispense with it: that therefore we must consider it as the indispensable preliminary to obtain our reception; unless we could find the means to change their determination in this particular: that if we satisfied the Directory in these particulars, a letter would be written to us, to demand the extent of our powers, and to know whether we were authorized to place them precisely on the same footing with England?—whether, he said, our full powers were really and substantially full powers? or, like those of Lord Malmesbury, only illusory powers? That, if to this demand our answer should be affirmative, then France would consent that commissioners should be appointed to ascertain the claims of the United States, in like manner as under our treaty with England; but from their jurisdiction must be withdrawn those which were condemned for want of a *role d'equipage*; that being a point on which Merlin, while minister of justice, had written a treatise, and on which the Directory were decided. There would, however, be no objection to our complaining of these captures in the course of the negotiation; and if we could convince Merlin by our reasoning, the minister would himself be satisfied with our so doing. We required an explanation of that part of the conversation, in which M. Y. had hinted at our finding means to avert the demand concerning the President's speech. He answered, that he was not authorized to state those means, but that we must search for them, and propose them ourselves. If, however, we asked his opinion as a private individual, and would receive it as coming from him, he would suggest to us the means

means which, in his opinion, would succeed. On being asked to suggest the means, he answered, Money; that the Directory were jealous of its own honour, and of the honour of the nation; that it insisted on receiving from us the same respect with which we had treated the King; that this honour must be maintained in the manner before required, unless we substituted in the place of those reparations something perhaps more valuable, that was, money. He said farther, that if we desired him to point out the sum which he believed would be satisfactory, he would do so. We requested him to proceed; and he said, that there were thirty-two millions of florins of Dutch inscriptions, worth ten shillings in the pound, which might be assigned to us at twenty shillings in the pound; and he proceeded to state to us the certainty, that, after a peace, the Dutch government would repay us the money; so that we should ultimately lose nothing; and the only operation of the measure would be an advance from us to France of thirty-two millions on the credit of the government of Holland. We asked him, whether the fifty thousand pounds sterling as a *douceur* to the Directory must be in addition to this sum? He answered us in the affirmative. We told him, that on the subject of the treaty we had no hesitation in saying, that our powers were ample: that on the other points proposed to us we would retire into another room, and return in a few minutes with our answer.

We committed immediately to writing the answer we proposed in the following words: "Our powers, respecting a treaty, are ample; but the proposition of a loan in the form of Dutch inscriptions, or in any other form, is not within the limits of our instructions; upon this point, therefore, the government must be consulted: one of the American ministers will, for the purpose, forthwith embark for America; provided the Directory will suspend all farther captures on American vessels, and will suspend proceedings on those already captured, as well where they have been already condemned, as where the decisions have not yet been rendered; and that where sales have been made, but the money not yet received by the captors, it shall not be paid until the preliminary questions, proposed to the ministers of the United States, be discussed and decided:" which was read as a verbal answer; and we told them, they might copy it if they pleased. M. Y. refused to do so; his disappointment was apparent; he said, we treated the money part of the proposition as if it had proceeded from the Directory; whereas, in fact, it did not proceed even from the minister, but was only a suggestion from himself, as a substitute to be proposed by us, in order to avoid the painful acknowledgment that the Directory had determined to demand of us. It was told him, that we understood that matter perfectly; that we knew the proposition was in form to be ours; but that it came substantially from the minister. We asked what
had

had led to our present conversation? And General Pinckney then repeated the first communication from M. X. (to the whole of which that gentleman assented), and we observed, that those gentlemen had brought no testimonials of their speaking any thing from authority; but that relying on the fair characters they bore, we had believed them when they said they were from the minister, and had conversed with them in like manner as if we were conversing with M. Talleyrand himself: and that we could not consider any suggestion M. Y. had made as not having been previously approved of; but yet, if he did not choose to take a memorandum in writing of our answer, we had no wish that he should do so: and farther, if he chose to give the answer to his proposition the form of a proposition from ourselves, we could only tell him, that we had no other proposition to make, relative to any advance of money on our part; that America had sustained deep and heavy losses by French depredations on our commerce, and that France has alleged so [many] complaints against the United States, that on those subjects we came fully prepared, and were not a little surprised to find France unwilling to hear us; and making demands upon us which could never have been suspected by our government, and which had the appearance of our being the aggressing party. M. Y. expressed himself vehemently on the resentment of France; and complained, that instead of our proposing some substitute for the reparations demanded of us, we were stipulating certain conditions to be performed by the Directory itself; that he could not take charge of such propositions; and that the Directory would persist in its demand of those reparations which he had at first stated. We answered, that we could not help it: it was for the Directory to determine what course its own honour and the interests of France required it to pursue: it was for us to guard the interests and honour of our country. M. Y. observed, that we had taken no notice of the first proposition, which was, to know whether we were ready to make the disavowal, reparations, and explanations concerning the President's speech. We told him that we supposed it to be impossible that either he or the minister could imagine that such a proposition could require an answer: that we did not understand it as being seriously expected, but merely as introductory to the subjects of real consideration.

He spoke of the respect which the Directory required, and repeated, that it would exact as much as was paid to the ancient kings. We answered, that America had demonstrated to the world, and especially to France, a much greater respect for her present government than for her former monarchy; and that there was no evidence of this disposition which ought to be required, that we were not ready to give. He said, that we should certainly not be received, and seemed to shudder at the consequences.

quences. We told him, that America had made every possible effort to remain on friendly terms with France ; that she was still making them : that if France would not hear us, but would make war on the United States, nothing remained for us but to regret the unavoidable necessity of defending ourselves.

The subject of our powers was again mentioned ; and we told him, that America was solicitous to have no more misunderstandings with any republic, but especially with France ; that she wished a permanent treaty, and was sensible that no treaty could be permanent which did not comport with the interests of the parties ; and therefore that he might be assured, that our powers were such as authorized us to place France on an equal ground with England, in any respects in which an inequality might be supposed to exist at present between them, to the disadvantage of France. The subject of the *role d'equipage* was also mentioned ; and we asked what assurance we could have, if France insisted on the right of adding to the stipulations of our treaty, or of altering them by municipal regulations, that any future treaty we could make should be observed. M. Y. said, that he did not assert the principle of changing treaties by municipal regulations : but that the Directory considered its regulation concerning the *role d'equipage* as comporting with the treaty. We observed to him, that none of our vessels had what the French termed a *role d'equipage*, and that if we were to surrender all the property which had been taken from our citizens in cases where their vessels were not furnished with such a roll, the government would be responsible to its citizens for the property so surrendered ; since it would be impossible to undertake to assert that there was any plausibility in the allegation that our treaty required a *role d'equipage*.

The subject of disavowals, &c. concerning the President's speech was again mentioned ; and it was observed, that the constitution of the United States authorized and required our President to communicate his ideas on the affairs of the nation ; that in obedience to the constitution he had done so ; that we had no power to confirm or invalidate any part of the President's speech ; that such an attempt could produce no other effect than to make us ridiculous to the government and to the citizens at large of the United States ; and to produce, on the part of the President, an immediate disavowal and recall of us as his agents ; that independent of this, all America was acquainted with the facts stated by the President ; and our disavowing them would not change the public sentiment concerning them.

We parted with mutual professions of personal respect, and with full indications, on the part of M. Y. of his expectation that we should immediately receive the threatened letter.

The nature of the above communication will evince the necessity

cessity of secrecy; and we have promised Messrs. X. and Y. that their names shall in no event be made public.

We have the honour to be, with great respect and esteem,

Your most obedient humble servants,

CHARLES COTESWORTH PINCKNEY.

J. MARSHALL.

E. GERRY.

P. S. October 27, 1797.—The definitive articles of peace are signed between the French republic and the Emperor; the particulars you will find in the public prints. The Portuguese minister is ordered to quit France, as the treaty with Portugal has not been yet ratified by the Queen. The treaty itself is declared by the Directory to be void. Since our arrival at Paris, the tribunal of cassation has rejected Captain Scot's petition, complaining of the condemnation of his vessel by the civil tribunal for the want of a *role d'équipage*. Mr. —, in behalf of the owners of the American vessels, who have appealed in the last resort to the tribunal of cassation, informs, that notwithstanding the arguments ——— to put off the hearing of the *Rosanna*, as a diplomatic case, till the issue of our negotiation is known, that case is set down for hearing, and will come on the 29th or 30th instant. The same — also says, that it is obvious that the tribunal have received instructions from the officers of government to hasten their decisions, and that it was hardly worth while to ——— for all our petitions in cassation would be rejected. Our advocates ——— decline giving their sentiments on this subject ——— under an apprehension of committing themselves.

Colonel Pickering, Secretary to the United States.

Paragraph of the President's Speech referred to in Letter No. I. under the Title of Exhibit A.

I. WITH this conduct of the French government it will be proper to take into view the public audience given to the late minister of the United States, on his taking leave of the Executive Directory. The speech of the President discloses sentiments more alarming than the refusal of a minister, because more dangerous to our independence and union, and at the same time studiously marked with indignities against the government of the United States. It evinces a disposition to separate the people of the United States from the government; to persuade them that they have different affections, principles, and interests, from those of their fellow-citizens, whom they themselves have chosen to manage their common concerns, and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision

which shall convince France and the world, that we are not a degraded people, humiliated under a colonial sense of fear, fitted to be the miserable instruments of foreign influence, and regardless of national honour, character, and interest.

II. The diplomatic intercourse between France and the United States being at present suspended, the government has no means of obtaining official information from that country; nevertheless, there is reason to believe that the Executive Directory passed a decree, on the 2d of March last, contravening in part the treaty of amity and commerce of 1778, injurious to our lawful commerce, and endangering the lives of our citizens. A copy of this decree will be laid before you.

III. While we are endeavouring to adjust our differences with France by amicable negotiation, the progress of the war in Europe, the depredations on our commerce, the personal injuries to our citizens, and the general complexion of affairs, render it my indispensable duty to recommend to your consideration effectual measures of defence.

IV. It is impossible to conceal from ourselves, or the world, what has been before observed, that endeavours have been employed to foster and establish a division between the government and the people of the United States. To investigate the causes which have encouraged this attempt is not necessary; but to repel, by decided and united councils, insinuations so derogatory to the honour and aggressions so dangerous to the constitution, union, and even independence of the nation, is an indispensable duty.

No. II.

Dear Sir,

Paris, Nov. 8, 1797.

WE now enclose you, in thirty-six quarto pages of cipher, and in eight pages of ciphered exhibits, the sequel to the details commenced in No. I. dated the 22d of last month; and have the honour to be

Your most obedient humble servants,

CHARLES COTESWORTH PINCKNEY.

J. MARSHALL.

E. GERRY.

Colonel Pickering.

October 27, 1797.—About twelve we received another visit from M. X. He immediately mentioned the great event announced in the papers, and then said, that some proposals from us had been expected on the subject on which we had before conversed; that the Directory were becoming impatient, and would take a decided course with regard to America, if we could not
satisfy

soften them. We answered, that on that subject we had already spoken explicitly, and had nothing farther to add. He mentioned the change in the state of things which had been produced by the peace with the Emperor, as warranting an expectation of a change in our system; to which we only replied, that this event had been expected by us, and would not in any degree affect our conduct. M. X. urged, that the Directory had, since this peace, taken a higher and more decided tone with respect to us, and all other neutral nations, than had been before taken; that it had been determined, that all nations should aid them, or be considered and treated as their enemies. We answered, that such an effect had already been contemplated by us as probable, and had not been overlooked, when we gave to this proposition our decided answer; and further, that we had no powers to negotiate for a loan of money; that our government had not contemplated such a circumstance in any degree whatever; that if we should stipulate a loan, it should be a perfectly void thing, and would only deceive France, and expose ourselves. M. X. again expatiated on the power and violence of France: he urged the danger of our situation, and pressed the policy of softening them, and of thereby obtaining time. The present men, he said, would very probably not continue long in power; and it would be very unfortunate, if those who might succeed, with better dispositions towards us, should find the two nations in actual war. We answered, that if war should be made on us by France, it would be so obviously forced on us, that, on a change of men, peace might be made with as much facility as the present differences could be accommodated: we added, that all America deprecated a war with France; but that our present situation was more ruinous to us than a declared war would be; that at present our commerce was plundered unprotected; but that if war was declared, we should seek the means of protection. M. X. said, he hoped we should not form a connexion with Britain; and we answered, that we hoped so too; that we had all been engaged in our revolution war, and felt its injuries; that it had made the deepest impression on us; but that if France should attack us, we must seek the best means of self-defence. M. X. again returned to the subject of money: said he, Gentlemen, you do not speak to the point—it is money; it is expected that you will offer money. We said, we had spoken to that point very explicitly; we had given an answer. No, said he, you have not; what is your answer? We replied, It is, No; no; not a sixpence. He again called our attention to the dangers which threatened our country, and asked, if it would not be prudent, though we might not make a loan to the nation, to interest an influential friend in our favour? He said, we ought to consider what men we had to treat with; that they disregarded the justice of our claims, and the reasoning

with which we might support them ; that they disregarded their own colonies ; and considered themselves as perfectly invulnerable with respect to us ; that we could only acquire an interest among them by a judicious application of money ; and it was for us to consider, whether the situation of our country did not require that these means should be resorted to. We observed, that the conduct of the French government was such as to leave us much reason to fear, that, should we give the money, it would effect no good purpose, and would not produce a just mode of thinking with respect to us. He said, that when we employed a lawyer we gave him a fee, without knowing whether the cause could be gained or not ; but it was necessary to have one, and we paid for his services, whether those services were successful or not : so in the present state of things, the money must be advanced for the good offices the individuals were to render, whatever might be the effect of those good offices. We told him there was no parallel in the cases ; that a lawyer, not being to render the adjudgment, could not command success : he could only endeavour to obtain it ; and consequently, we could only pay him for his endeavours : but the Directory could decide on the issue of our negotiation. It had only to order that no more American vessels should be seized, and to direct those now in custody to be restored, and there could be no opposition to the order. He said, that all the members of the Directory were not disposed to receive our money : that Merlin, for instance, was paid from another quarter, and would touch no part of the douceur which was to come from us. We replied, that we understood that Merlin was paid by the owners of the privateers ; and he nodded an assent to the fact. He proceeded to press this subject with vast perseverance. He told us that we paid money to obtain peace with the Algerines and with the Indians ; and that it was doing no more to pay France for peace. To this it was answered, that when our government commenced a treaty with either Algiers or the Indian tribes, it was understood that money was to form the basis of the treaty, and was its essential article ; that the whole nation knew it, and was prepared to expect it as a thing of course ; but that, in treating with France, our government had supposed that the proposition, such as he spoke of, would, if made by us, give mortal offence.

He asked, if our government did not know that nothing was to be obtained here without money ? We replied, that our government had not even suspected such a state of things.—He appeared surprised at it, and said, there was not an American in Paris who could not have given that information. We told him that the letters of our minister had indicated a very contrary temper in the government of France ; and had represented it as acting entirely upon principle, and as feeling a very pure and disinterested affection for America. He looked somewhat surprised, and said briskly

briskly to General Pinckney, Well, Sir, you have been a long time in France and in Holland—what do you think of it? General Pinckney answered, that he considered M. X. and M. Y. as men of truth, and, of consequence, he could but have one opinion on the subject.—He stated that Hamburgh and other states of Europe were obliged to buy a peace; and that it would be equally for our interest to do so. Once more he spoke on the danger of a breach with France, and of her power, which nothing could resist. We told him, that it would be in vain for us to deny her power, or the solicitude we felt to avoid a contest with it; that no nation estimated her power more highly than America, or wished more to be on amicable terms with her; but that one object was still dearer to us than the friendship of France—which was our national independence: that America had taken a neutral station; she had a right to take it; no nation had a right to force us out of it; that to lend a sum of money to a belligerent power, abounding in every thing requisite for war but money, was to relinquish our neutrality, and take part in the war; to lend this money under the lash and coercion of France, was to relinquish the government of ourselves, and to submit to a foreign government imposed upon us by force; that we would make at least one manly struggle before we thus surrendered our national independence; that our case was different from that of one of the minor nations of Europe; they were unable to maintain their independence, and did not expect to do so: America was a great, and, so far as concerned her self-defence, a powerful nation; she was able to maintain her independence; and must deserve to lose it, if she permitted it to be wrested from her; that France and Britain had been at war for near fifty years of the last hundred, and might probably be at war for fifty years of the century to come; that America had no motives which could induce her to involve herself in those wars; and that, if she now preserved her neutrality and her independence, it was most probable that she would not in future be afraid, as she had been for four years past; but if she now surrendered her rights of self-government to France, or permitted them to be torn from her, she could not expect to recover them, or to remain neutral in any future war. He said that France had lent us money during our revolution war, and only required that we should now exhibit the same friendship for her. We answered, that the cases were very different: that America solicited a loan from France, and left her at liberty to grant or refuse it; but that France demanded it from America, and left us no choice on the subject. We also told him there was another difference in the cases; that the money was lent by France for great national and French objects; it was lent to maim a rival, and an enemy whom she hated; that the money, if lent by America, would not be for any American objects, but to enable France to extend still further her conquests.

The conversation continued for nearly two hours ; and the public and private advance of money was pressed and repressed in a variety of forms. At length M. X. said that he did not blame us ; that our determination was certainly proper, if we could keep it ; but he showed decidedly his opinion to be, that we could not keep it. He said that he would communicate, as nearly as he could, our conversation to the minister, or to M. Y. to be given by him to the minister ; we are not certain which. We then separated. On the 22d of October, M. Z. a French gentleman of respectable character, informed Mr. Gerry, that M. Talleyrand, minister of foreign relations, who professed to be well disposed towards the United States, had expected to have seen the American ministers frequently in their private capacities ; and to have conferred with them individually on the objects of their mission ; and had authorized M. Z. to make this communication to Mr. Gerry. The latter sent for his colleagues, and a conference was held with M. Z. on the subject, in which General Pinckney and General Marshall expressed their opinions, that, not being acquainted with M. Talleyrand, they could not with propriety call on him ; but that, according to the custom of France, he might expect this of Mr. Gerry, from a previous acquaintance in America. This Mr. Gerry reluctantly complied with on the 23d, and with M. Z. called on M. Talleyrand, who, not being then at his office, appointed the 28th for the interview. After the first introduction, M. Talleyrand began the conference. He said, that the Directory had passed an *arrête*, which he offered for perusal, in which they had demanded of the envoys an explanation of some parts, and a reparation for others, of the President's speech to Congress of the 16th of May last : he was sensible, he said, that difficulties would exist on the part of the envoys, relative to the demand ; but that by their offering money he thought he could prevent the effect of the *arrête*. M. Z. at the request of Mr. Gerry, having stated that the envoys have no such powers, M. Talleyrand replied, they can in such case take a power on themselves, and proposed that they should make a loan. Mr. Gerry then addressed M. Talleyrand distinctly in English, which he said he understood, and stated, that the uneasiness of the Directory, resulting from the President's speech, was a subject unconnected with the objects of the mission ; that M. Barras, in his speech to Mr. Monroe, on his recall, had expressed himself in a manner displeasing to the government and citizens of the United States ; that the President, as the envoys conceived, had made such observations on M. Barras's speech as were necessary to vindicate the honour of the United States ; that this was not considered by our government as a subject of dispute between the two nations ; that having no instructions respecting it, we could not make any explanations or reparations relating to it ; and that M. Talleyrand himself was sufficiently acquainted with

wish the constitution of the United States to be convinced of the truth of these observations.

Mr. Gerry further stated, that the powers of the envoys, as they conceived, were adequate to the discussion and adjustment of all points of real difference between the two nations; that they could alter and amend the treaty, or, if necessary, form a new one; that the United States were anxiously desirous of removing all causes of complaint between themselves and France, and of renewing their former friendship and intercourse on terms which would be mutually honourable and beneficial to the two nations, but not on any other terms; that as to a loan, we had no powers whatever to make one; that if we were to attempt it, we should deceive himself and the Directory likewise, which as men of honour we could not do; but that we could send one of our number for instructions on this proposition, if deemed expedient, provided that the other objects of the negotiation could be discussed and adjusted; that as he had expressed a desire to confer with the envoys individually, it was the wish of Mr. Gerry that such a conference should take place, and their opinions thus be ascertained, which he conceived corresponded with his own in the particulars mentioned. M. Talleyrand, in answer, said, he should be glad to confer with the other envoys individually, but that this matter about the money must be settled directly, without sending to America; that he would not communicate the arrête for a week; and that if we could adjust the difficulty respecting the speech, an application would nevertheless go to the United States for a loan. A courier arrived at this moment from Italy, and M. Talleyrand appearing impatient to read the letters, Mr. Gerry took leave of him immediately. He followed to the door, and desired M. Z. to repeat to Mr. Gerry what he, M. Talleyrand, had said to him. Mr. Gerry then returned to his quarters with M. Z. took down the particulars of this interview as before stated, sent for Generals Pinckney and Marshall, and read it to them in the presence of M. Z. who confirmed it. Generals Pinckney and Marshall then desired M. Z. to inform M. Talleyrand that they had nothing to add to this conference, and did not wish that the arrête might be delayed on their account.

Answer of M. Barras, President of the Executive Directory, to the Speech of Mr. Monroe, on taking leave, to which the Speech of the President of the United States refers.

“ Mr. Minister Plenipotentiary of the
United States of America,

“ BY presenting to-day your letters of recall to the Executive Directory, you give to Europe a very strange spectacle.

“ France, rich in her liberty, surrounded by a crowd of victories,
strong

strong in the esteem of her allies, will not abase herself by lating the consequences of the condescension of the American government to the suggestions of her former tyrants.—Mr. de Talleyrand the French republic hopes, that the successors of Col. Ramphip*, and Penn, always proud of their liberty, will forget that they owe it to France. They will weigh in their the magnanimous benevolence of the French people w crafty caresses of certain perfidious persons, who meditate b them back to their former slavery. Assure the good American people, Sir, that, like them, we adore liberty; that they will have our esteem, and that they will find in the French republic publican generosity, which knows how to grant peace as it cause its sovereignty to be respected.

“As to you, Mr. Minister Plenipotentiary, you have co for principles, you have known the true interests of your co Depart with our regret. In you we give up a representa America, and retain the remembrance of the citizen who sonal qualities did honour to that title.”

October 29th. M. X. again called on us. He said M. T rand was extremely anxious to be of service to us, and requested that one more effort should be made to induce us to him to be so. A great deal of the same conversation which passed at our former interviews was repeated. The power; haughtiness of France was again displayed to us. We we that the destruction of England was inevitable; and th wealth and arts of that nation would naturally pass over to rica, if that event should find us in peace. To this obse we replied, that France would probably forbid America to them, in like manner as she had forbid Switzerland to per residence in its country of a British minister. We told him that we were sensible of the value of peace, and therefore it unremittingly, but that it was real peace we sought fo real peace only which could be desirable.

The sum of his proposition was, that if we would pay, l of fees (that was his expression), the sum of money deman private use, the Directory would not receive us; but would us to remain in Paris as we now were; and we should be r by M. Talleyrand, until one of us could go to America an sult our government on the subject of the loan. These w circumstances, he said, under which the minister of Portug treated. We asked him if, in the mean time, the Di would order the American property not yet passed into the of the privateersmen, to be restored. He said explicitly, th would not. We asked him, whether they would suspend

* Probably intended for Raleigh.

depredations on our commerce? He said they would not: but M. Talleyrand observed, that on this subject we could not sustain much additional injury, because the winter season was approaching, when few additional captures would be made. We told him that France had taken violently from America more than fifty millions of dollars, and treated us in every respect as enemies, in return of the friendship we had manifested for her; that we had come to endeavour to restore harmony to the two nations, and to obtain compensation for the injuries our countrymen sustained; and that in lieu of this compensation, we were told that if we would pay twelve hundred thousand livres, we might be permitted to remain in Paris, which would only give us the benefit of seeing the plays and operas of Paris for the winter, that we might have time to ask from our country to exhaust her resources for France, whose depredations would be continued. He again stated, that by this procedure we should suspend a war; and that, perhaps, in five or six months, power might change hands.

We told him that what we wished to see in France was a temper sincerely friendly to the United States, and really disposed to do us justice; that if we could perceive this, we might not so much regard a little money, such as he stated to be usual, although we should hazard ourselves by giving it; but that we saw only evidences of the most extreme hostility towards us: war was made upon us so far as France could make it in the present state of things; and it was not even proposed, that on receiving our money this war should cease: we had no reason to believe that a possible benefit could result from it; and we desired him to say, that we would not give a shilling, unless American property unjustly captured was previously restored, and further hostilities suspended; and that unless this was done, we did not conceive that we could even consult our government concerning a loan: that if the Directory would receive us and commence negotiations, and any thing occurred which rendered a consultation of the government necessary, one of us would return to America for that purpose. He said, that without this money we should be obliged to quit Paris; and that we ought to consider the consequences: the property of the Americans would be confiscated, and their vessels in port embargoed. We told him, that unless there was a hope of a reconciliation, these evils could not be prevented by us; and the little delay we might obtain would only increase them; that our mission had induced many of our countrymen to trust their vessels into the ports of France, and that if we remained in Paris, that very circumstance would increase the number; and consequently the injury which our countrymen would sustain, if France could permit herself so to violate her own engagements and the laws of nations. He expressed a wish that M. Y. should see us once more. We told him that a visit from M. Y. as a private gentleman,

would always be agreeable to us ; but if he came only with the expectation that we should stipulate advances of money, without previously establishing a solid and permanent reconciliation, he might save himself the trouble of the application, because it was a subject we had considered maturely, and on which we were immoveable. He parted with us, saying, if that was the case it would not be worth while for M. Y. to come. In the evening, while General Pinckney and General Marshall were absent, M. Y. and M. X. called, and were invited by Mr. Gerry to breakfast with us the next morning.

October 30. Immediately after breakfast the subject was resumed. M. Y. spoke without interruption for near an hour. He said that he was desirous of making a last effort to serve us, by proposing something which might accommodate the differences between the two nations ; that what he was now about to mention had not by any means the approbation of the Directory ; nor could M. Talleyrand undertake farther than to make from us the proposition to the Directory, and use his influence for its success ; that last week M. Talleyrand could not have ventured to have offered such propositions ; but that his situation had been very materially changed by the peace with Emperor. By that peace he had acquired in an high degree the confidence of the Directory, and now possessed great influence with that body ; that he was also closely connected with Buonaparte and the generals of the army in Italy, and was to be considered as firmly fixed in his post, at least for five or six months ; that under these circumstances he could undertake to offer, in our behalf, propositions which before this increase of influence he could not have hazarded. M. Y. then called our attention to our own situation, and to the force France was capable of bringing to bear upon us. He said that we were the best judges of our capacity to resist, so far as depended on our own resources, and ought not to deceive ourselves on so interesting a subject. The fate of Venice was one which might befall the United States. But he proceeded to observe, it was probable we might rely on forming a league with England. If we had such a reliance, it would fail us. The situation of England was such, as to compel Pitt to make peace on the terms of France. A variety of causes were in operation, which made such an effect absolutely certain. To say nothing of the opposition in England to the minister and to the war, an opposition which the fears of the nation would increase ; to say nothing of a war against England which was preparing in the North ; an army of one hundred and fifty thousand men, under the command of Buonaparte, spread upon the coast of France, and aided by all the vast resources of his genius, would most probably be enabled to invade England : in which event their government would be overturned ; but should this invasion not be absolutely effected, yet the alarm it would spread through

through the nation, the enormous expense it must produce, would infallibly ruin them, if it was to be continued, and would drive them to save themselves by a peace; that independent of this, France possessed means which would infallibly destroy their bank, and their whole paper system. He said he knew very well it was generally conjectured that Buonaparte would leave Italy, and the army which had conquered under him, and which adored him; he assured [us that] nothing could be more unfounded than the conjecture, that Buonaparte had for more than ten days left Italy for Rastadt, to preside over the congress which was formed for adjusting the affairs of the Empire. He said that Pitt himself was so confident of the absolute necessity of peace, that after the naval victory over the Dutch, he had signified his readiness to treat on the same terms he had offered before that action; we could not then rely on the assistance of England. What, he asked, would be our situation if peace should be made with England before our difference with France would be accommodated? But, he continued, if even England should be able to continue the war, and America should unite with her, it would not be in our power to injure France. We might, indeed, wound her ally; but, if we did, it would be so much the worse for us. After having stated the dangers attending us, if we should engage in the war, he proceeded to the advantages we might derive from a neutral situation; and insisted at large on the wealth which would naturally flow into our country from the destruction of England.

He next proceeded to detail the propositions, which are in substance in the paper annexed, marked (A), except that he insisted that we should engage to use our influence with our government for the loan. He stated expressly, that the propositions were to be considered as made by us; that M. Talleyrand would not be responsible for the success of any one of them; he would only undertake to use his influence with the Directory in support of them. The proposition, he said, concerning a suspension of hostilities on the part of France, was one which proceeded entirely from himself; M. Talleyrand had not been consulted upon it; and he could not undertake to say that that gentleman would consent even to lay it before the Directory. The proposition for an advance in the government of France, of as much money as was due from it to our citizens on contract, and as might be determined to be due for vessels improperly captured and condemned, was, he said, indispensable; unless we made that, it was unnecessary to make any other; for the others would not be received.

He expatiated on the vast advantages we should derive from delay; it was, he said, absolutely to gain our cause. He returned to the danger of our situation, and the policy of making with France any accommodation which France would assent to. Perhaps, said he, you believe that in returning and exposing to

your countrymen the unreasonableness of the demands of this government, you will unite them in their resistance to those demands; you are mistaken—you ought to know that the diplomatic skill of France, and the means she possesses in your country, are sufficient to enable her, with the French party in America, to throw the blame which will attend the rupture of the negotiations on the federalists, as you term yourselves, but on the British party, as France terms you; and you may assure yourselves this will be done. He concluded with declarations of being perfectly disinterested; and declared that his only motives for speaking thus freely were his friendship for M. Talleyrand, and his wish to promote the interests and peace of the United States.

We told him that the freedom with which he had spoken, and which was agreeable to us, would induce us to speak freely also; and for once to accompany our view of the present state of things with a retrospect of the past: that America was the only nation upon earth which felt and had exhibited a real friendship for the republic of France; that among the empires round her, which were compelled to bend beneath her power, and to obey her commands, there was not one which had voluntarily acknowledged her government, or manifested for it spontaneously any mark of regard. America alone had stepped forward, and given the most unequivocal proofs of a pure and sincere friendship, at a time when almost the whole European world, when Austria, Germany, Prussia, Russia, Spain, Sardinia, Holland, and Britain, were leagued against France: when her situation was in truth hazardous, and it was dangerous to hold even friendly intercourse with her, America alone stood forward, and openly and boldly avowed her enthusiasm in favour of the republic, and her deep and sincere interest in her fate.

From that time to the present, the government and people of the United States have uniformly manifested a sincere and ardent friendship for France, and have, as they conceive, in no single instance given to this republic just cause of umbrage: if they have done so, they wish it to be pointed out to them. After the determination of France to break off all regular intercourse with them, they have sent three envoys extraordinary to endeavour to make such explanations as might produce reconciliation; these envoys are prepared to investigate, and wish to investigate any measures which may have given offence—and are persuaded that they can entirely justify the conduct of their government.

To this distant, unoffending, friendly republic, what is the conduct and the language of France? Wherever our property can be found, she seizes and takes it from us; unprovoked, she determines to treat us as enemies, and our making no resistance produces no diminution of hostilities against us. She abuses and insults our government, endeavours to weaken it in the estimation of the
people,

people, recalls her own minister, refuses to receive ours; and, when extraordinary means are taken to make such explanations as may do away misunderstandings, and such alterations in the existing relations to the two countries, as may be mutually satisfactory, and may tend to produce harmony, the envoys who bear these powers are not received; they are not permitted to utter the amicable wishes of their country; but, in the haughty style of a master, they are told, that unless they will pay a sum, to which their resources scarcely extend, that they may expect the vengeance of France, and, like Venice, be erased from the list of nations: that France will annihilate the only free republic upon earth, and the only nation in the universe which has voluntarily manifested for her a cordial and real friendship. What impression must this make upon the mind of America, if, without provocation, France was determined to make war upon us, unless we purchased peace? We could not easily believe that even our money would save us—our independence would never cease to give offence, and would always furnish a pretext for fresh demands. On the advantages of neutrality it was unnecessary to say any thing; all the efforts of our government were exerted to maintain it; and we would never willingly part with it. With respect to a political connexion with Britain, we told him, that America had never contemplated it. Whether the danger that he represented that government to be in, was or was not real, we would not undertake to decide. Britain, we believed, had much reason to wish for peace; and France had much reason to wish for peace also: if peace already existed, it would not change the course America would pursue.

M. Y. manifested the most excessive impatience; he interrupted us, and said, This eloquent dissertation might be true; America might have manifested, and he believed had manifested great friendship for France, and had just complaints against her; but he did not come to listen to those complaints. The minister would, on our request, make for us certain propositions to the Directory; he had stated them to us; and all the answer he wished was, Yes or no. Did we or did we not solicit the minister to make the proposition for us? We told him, that, without going farther into the discussion, we chose to remark one or two things; they were, that the existing treaties gave to France certain advantages, which were very essential; that especially the American coast afforded a protection, near two thousand miles in extent, to the prizes made by France on her enemies, and refused that protection to the prizes taken from her; that she might be assured, that in case of war these advantages would be lost for ever. We also told him, we were convinced that France miscalculated on the parties in America; that the extreme injustice offered to our country would unite every man against her. M. X. informed us,

us, that M. Talleyrand would not consent even to lay this proposition before the Directory without previously receiving the 50,000*l.* or the greater part of it.

M. Y. left in writing his propositions, and we returned the answer annexed, and marked B.

November 1st. It was at length agreed, that we would hold no more indirect intercourse with the government.

November 3d. M. X. called on us, and told General Pinckney and General Marshall (Mr. Gerry not being within), that M. Y. wished once more to see us. We answered, that we should at any time be glad to see M. Y. as a private gentleman; but that if his object was only to repeat his propositions for money, it was perfectly unnecessary to do so; because on that subject it was impossible for us to change the answer we had already given. We told him farther, that we considered it as degrading our country to carry on farther such an indirect intercourse as we had for some time submitted to, and had determined to receive no propositions, unless the persons who bore them had acknowledged authority to treat with us. He said, that perhaps M. Y. might have written powers from the minister; and we replied, that, if he had, we should receive his communications with pleasure. He spoke of a probable peace with England, and, having requested us to be at home in the afternoon, left us.

About three o'clock he came, and, after some conversation, in which we repeated in substance what is stated above, he showed us a paper, which he said was a copy of a letter prepared for us by M. Talleyrand, requesting an explanation of part of the President's speech, and which he said would be sent, unless we came into the propositions which had been made us. We wished to take a copy of it, which he declined permitting, saying, he was forbidden to allow it. We spoke of the letter coming to us as a measure we had no expectation of preventing; and he said, he could not understand that we wished it delayed. To which we answered, that the delay of a few days could not be desired, unless a hope existed, that the Directory might become more friendly to our country.

He said, that intelligence had been received from the United States, that if Colonel Burr and Mr. Maddison had constituted the mission, the differences between the two nations would have been accommodated before this time. He added, as a fact he was not instructed to communicate, that M. Talleyrand was preparing a memorial to be sent out to the United States, complaining of us as being unfriendly to an accommodation with France. We replied to this intelligence from the United States, that the minister's correspondents in America took a good deal on themselves, when they undertook to say how the Directory would have received Colonel Burr and Mr. Maddison; and that with respect to the memorial

memorial of M. Talleyrand, it would not be easy for him to convince our countrymen, that the statements we should make were untrue ; if, however, we were confident that our conduct would be condemned, M. Talleyrand might be assured, that the fear of censure would not induce us to deserve it, but that we should act in a manner which our own judgments and consciences would approve of ; and we trusted we should be supported by the great body of candid and honest men. In this conversation we again stated, that America had taken a neutral position ; that she had faithfully sought to preserve it ; that a loan of money to one of the belligerent powers was directly to take part in the war ; and that to take part in the war against her own judgment and will, under the coercion of France, was to surrender our independence.

Exhibit A.

[*Enclosed in the Envoys' Letter of November 8, 1797, No. II.*]

THE American envoys shall remain here for six months, in the same manner, and upon the same footing with regard to etiquette, as did M. d'Aranjo, the envoy of Portugal.

II. There shall be named a commission of five members, agreeably to a form to be established for the purpose of deciding upon the reclamations of the Americans, relative to the prizes made on them by the French privateers.

III. The American envoys will engage, that their government shall pay the indemnifications, or the amount of the sums already decreed to the American creditors of the French republic, and by the commissioners. This payment shall be made under the name of an advance to the French republic, who shall repay it in a time and a manner to be agreed upon.

IV. One of the American envoys shall return to America, to demand of his government the necessary powers to purchase, for cash, the thirty-two millions of Dutch rescriptions belonging to the French republic, in case the envoys should conclude a treaty which shall be approved by the two nations.

V. In the interval the definitive treaty shall proceed, for the termination of all differences existing between the French republic and the United States, so as that the treaty may be concluded immediately on the return of the deputy.

VI. The question of the *role d'equipage* shall remain suspended until the return of the deputy, and the commission shall not pronounce upon any reclamation where this point shall be in question.

VII. During the six months granted for the going and returning of the deputy, hostilities against the Americans shall be suspended, as well as the process for condemnation before the tribunals : and the money of the prizes already condemned, in the hands of the civil officers

officers of the nation, shall remain there, without being delivered to the privateers-men, until the return of the deputy.

Exhibit B.

[*Received with the Envoys' Letter No. II. dated 8th November 1797.*

THE envoys extraordinary and ministers plenipotentiary of the United States cannot avoid observing the very unusual situation in which they are placed, by the manner in which they are alone permitted to make communications on the objects of their mission: they are called upon to pledge their country to a very great amount; to answer demands, which appear to them as extraordinary as they were unexpected, without being permitted to discuss the reason, the justice, or the policy on which those demands are founded, and not only without assurances, that the rights of the United States will in future be respected, but without a document to prove, that those to whom they are required to open themselves without reserve, and at whose instance they are called on to sacrifice so much, are empowered, even by the minister, to hold any communication with them: yet such is the anxious and real solicitude of the envoys to seize any occasion which may afford a hope, however distant, of coming to those explanations which they so much wish to make with this republic, that they pass over the uncommon and informal modes which have been adopted, and will only consider the propositions themselves.

I. The ministers of the United States will permit no personal considerations to influence their negotiations with the French republic. Although they expected the extraordinary means adopted by their government to reconcile itself to that of France would have been received with some degree of attention, yet they are too solicitous to enter upon the important and interesting duty of their mission, to permit themselves to be restrained by forms and etiquette.

II. On this article it is believed there can be no disagreement.

III. This article, as explained, would oblige the United States to advance, not to their own citizens, but to the government of France, sums equivalent to the depredations made by the corsairs of the republic on the American commerce, and to the contracts made with their citizens by France; and this advance instead of benefiting the citizens of the United States, would leave them precisely what they now are, the creditors of the French republic: the more extensive the depredations, and the more considerable the contracts uncomplished with, the more would the government of France receive from the United States. In dependant of these objections, the ministers of the United States cannot engage to assume, in any form, the debts due from France to their fellow-citizens: they have no such power.

IV. If the negotiations be opened, and the propositions for a loan, or any other propositions, exceeding the powers of the ministers, be made, the government of the United States will be consulted thereon with expedition.

V. This, or any other proposition, having for its object the claims of the two nations on each other, or an accommodation of differences, will be embraced with ardour by the ministers of the United States.

VI. It cannot escape notice, that the question of the *role d'équipage* may involve in it every vessel taken from the United States; the ministers, however, consider it, and wish to take it up as a subject of negotiation.

VII. On this article it is only to be observed, that the season of the year is such, as probably to render a return within six months, of the envoy who might sail to the United States, impracticable: provision should be made for such an event.

If the difficulties attending the propositions for a loan and a compensation for past injuries, be such as to require time for their removal, the ministers of the United States propose, that the discussions on the relative situation of the two countries may commence in the usual forms; that the relation to each other may be so regulated, as to obviate future misunderstandings; and that the adjustment of the claims of the citizens of the United States, whose vessels have been captured, may be made after a decision on the point first mentioned.

No diplomatic gratification can precede the ratification of the treaty.

No. III.

Dear Sir,

Paris, November 27, 1797.

ON the 11th instant we transmitted the following official letter to the minister of foreign affairs;

“ Citizen Minister,

“ The undersigned envoys extraordinary and ministers plenipotentiary of the United States of America to the French republic, had the honour of announcing to you officially, on the 6th of October, their arrival at Paris, and of presenting to you on the 8th a copy of their letters of credence. Your declaration at that time, that a report on American affairs was then preparing, and would in a few days be laid before the Directory, whose decision thereon should, without delay, be made known, has hitherto imposed silence on them. For this communication they have waited with that anxious solicitude which so interesting an event could not fail to excite, and with that respect which is due to the government of France. They have not yet received it; and so much

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time has been permitted to elapse, so critical is the situation of many of their countrymen, and so embarrassing is that of the undersigned, both as it respects themselves and the government they represent, that they can no longer dispense with the duty of soliciting your attention to their mission.

“ The United States, Citizen Minister, at an epoch which evinced their sincerity, have given incontestable proofs of their ardent friendship, of their affection for the French republic: these were the result, not of their unparalleled prowess and power, but of their confidence in her justice and magnanimity; and in such high estimation was the reciprocity of her friendship held by them, as to have been a primary object of national concern. The preservation of it was dear to them; the loss of it, a subject of unfeigned regret; and the recovery of it, by every measure which shall consist with the rights of an independent nation, engages their constant attention. The government of the United States, we are authorized to declare, has examined, with the most scrupulous justice, its conduct towards its former friend. It has been led to this by a sincere desire to remove of itself every just cause of complaint; conceiving that, with the most upright intentions, such cause may probably exist: and although the strictest search has produced no self-reproach, although the government is conscious that it has uniformly sought to preserve, with fidelity, its engagements to France; yet, far from wishing to exercise the privilege of judging for itself on its own course of reasoning, and the lights in its own possession, it invites fair and candid discussion; it solicits a reconsideration of the past; it is persuaded its intentions, its views, and its actions, must have been misrepresented and misunderstood; it is convinced, the essential interests of both nations will be promoted by reconciliation and peace; and it cherishes the hope of meeting with similar dispositions on the part of the Directory.

“ Guided by these sentiments, the President of the United States has given it in charge to the undersigned to state to the Executive Directory, the deep regret which he feels at the loss or suspension of the harmony and friendly intercourse which subsisted between the two republics, and his sincere wish to restore them; to discuss candidly the complaints of France, and to offer frankly those of the United States; and he has authorized a review of existing treaties, and such alterations thereof, as shall consist with the mutual interest and satisfaction of the contracting parties.

“ This task the undersigned are anxious to commence: and truly happy will they be, if their exertions can in any degree contribute to restore that friendship, that mutual interchange of good offices, which it is alike their wish and their duty to effect between the citizens of the two republics.

“ The

" The undersigned pray you, Citizen Minister, to present this communication to the Executive Directory, and to receive the assurances of their most perfect consideration.

(Signed) " CHARLES COTESWORTH PINCKNEY.

" J. MARSHALL.

" ELBRIDGE GERRY.

" *Paris, Nov. 11, in the 22^d
year of the American independence.*

" *To the Minister of Foreign Affairs of the French Republic.*"

No answer having been given to it on the 21st instant, we requested Major Rutledge to wait on the minister, and inquire of him whether he had communicated the letter to the Directory, and whether we might expect an answer: he replied, that he had submitted our letter to them, and that they would direct him what steps to pursue, of which we should be informed. We have not, however, hitherto received any official intimation relative to this business: we are not yet received; and the condemnation of our vessels for want of a *role d'equipage* is unremittingly continued: Frequent and urgent attempts have been made to inveigle us again into negotiation with persons not officially authorized, of which the obtaining money is the basis; but we have persisted in declining to have any further communication relative to diplomatic business with persons of that description; and we mean to adhere to this determination. We are sorry to inform you, that the present disposition of the government of this country appears to be as unfriendly towards ours as ever, and that we have very little prospect of succeeding in our mission.

We have the honour to be

Your most obedient humble servants,

CHARLES COTESWORTH PINCKNEY.

J. MARSHALL.

E. GERRY.

Colonel Pickering.

No. IV.

Dear Sir,

Paris, Dec. 24, 1797.

WE have not yet received any answer to our official letter to the minister of foreign affairs, dated the 11th of last month, and mentioned in No. III.; but reiterated attempts have been made to engage us in negotiation with persons not officially authorized; and you will find by the exhibits marked A, B, and C, herewith sent, some important information relative to the views and intentions of the French government with respect to ours. We are all of opinion, that if we were to remain here for six months longer, without we were to stipulate the payment of money, and

a great deal of it, in some shape or other, we should not be to effectuate the objects of our mission, should we be ever cially received; unless the projected attempt on England fail, or a total change take place in the persons who at p direct the affairs of this government. In this situation of ters, we are determined, by the 10th of next month, they remain as they are, to transmit another letter to the mi representing, as far as may be expedient, the views of ou vernment.

We have the honour to be

Your most obedient humble servants,

CHARLES COTESWORTH PINCH

J. MARSHALL.

E. GERRY.

Exhibit A.

[*Enclosed in the Envoys' Letter, No. IV.*]

ON the 14th of December, M. X. called on me, in as he said, to gain some information relative to some lan ——— purchased by ——— for whom ———. So afterwards General Marshall came in, and then Mr. Gerry'sriage drove into the yard. "Here's Mr. Gerry," said G Marshall. "I am glad of it," said M. X. "for I will meet all of you gentlemen, to inform you that M. Y another message to you from M. Talleyrand." I immed expressed my surprise at it, as M. Talleyrand, M. Y. and all knew our determination to have no farther communicati the subject of our mission, with persons not officially autho. He replied, that determination was made six weeks ago; a was presumed that we had changed our opinion. I said, I had not; and I did not believe my colleagues had. At tha ment Mr. Gerry entered the room, and I privately acqu him with the object of M. X.'s visit. General Marshall, Gerry, and myself, then withdrew into another room, and mediatly agreed to adhere to our former resolution. M. X then called in: when I acquainted him, in a few words, our determination; and Mr. Gerry expatiated more at lar the propriety of our acting in this manner, and on the unprecedented way in which we had been treated since ou rival.

On the 20th of December, a lady, who is well acqu with M. Talleyrand, expressed to me her concern that we still in so unsettled a situation; "But," adds she, "why will not lend us money? If you would but make us a loan matters would be adjusted:" and she added, "When you
conter

contending for your revolution, we lent you money." I mentioned the very great difference there was between the situation of the two countries at that period and the present; and the very different circumstances under which the loan was made us, and the loan demanded from us. She replied—"We do not make a demand; we think it more delicate that the offer should come from you. But M. Talleyrand has mentioned to me (who am surely not in his confidence) the necessity of your making us a loan; and I know that he has mentioned it to two or three others, and that you have been informed of it. And I will assure you, that if you remain here six months longer, you would not advance a single step further in your negotiation without a loan."—"If that is the case," I replied, "we may as well go away now."—"Why that possibly," said she, "might lead to a rupture, which you had better avoid; for we know we have a very considerable party in America, who are strongly in our interest." There is no occasion to enter into a further detail of the conversation. I have only noted this part of it as expressive of what I believe (as far as relates to the loan and party in America in their favour) to be the sentiments of the French government with regard to us.

CHARLES COTESWORTH PINCKNEY.

Dec. 21, 1797.

Exhibit B.

[*Enclosed in the Envoys' Letter, No. IV.*]

EXTRACT from General Marshall's Journal, Dec. 17, 1797.—I stepped into Mr. Gerry's apartment, where I saw M. Y. He expressed his regret at having been disabled to dine with us at M. de Beaumarchais', by an inveterate tooth-ach. He then asked me whether I had seen M. de Beaumarchais lately: I told him, not since he dined with us; and that he had left us much indisposed. He then observed, that he had not known till lately that I was the advocate for that gentleman in his cause against the state of Virginia; and that M. de Beaumarchais, in consequence of that circumstance, had expressed sentiments of high regard for me. I replied, that M. de Beaumarchais' cause was of great magnitude, very uncertain issue, and, consequently, that a portion of the interest he felt in it would very naturally be transferred to his advocate. He immediately said (low and apart) that M. de Beaumarchais had consented, provided his claim could be established, to sacrifice fifty thousand pounds sterling or it, as the private gratification which had been required of us, so that the gratification might be made without any actual loss to the American government. I answered, that a gratification on ar-

terms, or in any form, was a subject which we approached with much fear and difficulty, as we were not authorized by our government to make one; nor had it been expected that one would be necessary; that I could not undertake to say whether my colleagues would consent to it in any state of things; but I could undertake to say, no one of us would consent to it unless it was preceded or accompanied by a full and entire recognition of the claims of our citizens, and a satisfactory arrangement on the objects of our mission. He said it was in the expectation of that event only that he mentioned it. We parted; and I stated the conversation to General Pinckney, who was disinclined to any stipulation of the sort, and considered it as a renewal of the old reprobated system of indirect, unauthorized negotiation.

Having been originally the counsel of M. de Beaumarchais, I had determined, and so I informed General Pinckney, that I would not, by my voice, establish any agreement in his favour; but that I would positively oppose any admission of the claim of any French citizen, if not accompanied with the admission of the claims of the American citizens of property captured and condemned for want of a *role d'équipage*. My reason for conceiving that this ought to be stipulated expressly, was a conviction that, if it was referred to commissioners, it would be committing absolutely to chance as complete a right as any individuals ever possessed. General Pinckney was against admitting the claim at any rate.

After my return, Mr. Gerry came into my room, and told me that M. Y. had called on him, to accompany him on a visit to M. Talleyrand; that he proposed seeing M. Talleyrand, and returning the civility of the dinner; and endeavouring to bring about some intercourse between him and us.

Déc. 18.

General Pinckney and Mr. Gerry met in my room; and Mr. Gerry detailed to us the conversation mentioned in our public letter. 'The proposition relative to the claim of M. de Beaumarchais is entirely different from my understanding of it in the very brief statement made to me by M. Y. We resolved that we would rigidly adhere to the rule we had adopted, to enter into no negotiation with persons not formally authorized to treat with us. We came also to the determination to prepare a letter to the minister of foreign relations, stating the object of our mission, and discussing the subjects of difference between the two nations, in like manner as if we had been actually received; and to close the letter with requesting the government to open the negotiation with us, or to grant us our passports.

Exhibit

*Exhibit C.**[Enclosed in the Envoys' Letter, No. IV.]**Dec. 13.*

MR. Gerry, accidentally calling on General Pinckney, found M. X. and was soon informed that his object was to obtain another interview between the ministers and M. Y. on the affairs of their mission. General Marshall happening also to be there, we retired into another room, and immediately agreed to adhere to our former determination, not to have any more informal communication. M. X. having been called in, General Pinckney briefly communicated our determination: and Mr. Gerry observed, that he was much hurt by this proposition; that the ministers had already proceeded farther in this mode of communication than perhaps they could justify; that they had refused, six weeks ago, to renew it; and that some regard ought to be paid to their feelings, which had been sufficiently mortified; that the proposition was disrespectful to the envoys, as it betrayed a belief that they had lost a sense of their dignity, and were indeed incompetent to their office; that, had there been but one envoy extraordinary, he ought to have had an audience in a few days; and that for three to remain between two and three months in this situation, was too humiliating, too debasing, for any nation to submit to it; that, for his own part, had he been sent to any other nation in Europe, with two other envoys, he would not have consented to have remained in such a state ten days; that, knowing the great desire of the government and nation of the United States to be at peace with France, he had, with his colleagues, submitted to this indignity, at the risk of the severe censure of the former. Having also inquired of M. X. at what time M. Talleyrand could be seen, the former said, he would inquire of M. Y. who on the 16th, in the evening, sent, in Mr. Gerry's absence from his lodgings, a billet, as follows:

“ M. Y. has the honour to present his respects to Mr. Gerry, to inform him that he will have the honour to wait on him to-morrow morning, at ten o'clock, to go together to the minister of foreign relations.

“ He is, with respect,” &c.

On the morning of the 17th, M. Y. came in while Mr. Gerry was at breakfast, not having received an answer to his note; and Mr. Marshall coming in, M. Y. took him aside, and conferred with him a considerable time; after which, the former and the rest of the family left the room, and M. Y. and Mr. Gerry being together, Mr. G. told him, that his object

ject in seeing M. Talleyrand was to return a civility, by requesting him to fix a day for dining with Mr. G. who intended to invite his colleagues; by this interview to promote, if possible, a better understanding between the minister and the American envoys: and Mr. G. also proposed to confer with the minister on the disagreeable situation the envoys were in, and to state to him some reports which appeared to be founded, respecting a proposition before the Directory for sending off all Americans in a short period; but Mr. Gerry added, that he could not hear a word on the subject of the mission, or the preliminaries to a negotiation; as the envoys had determined unanimously against any informal communications on the subject. M. Y. in answer, said, that Mr. Marshall had just heard him on a subject of this kind; and that we might consider it as he did, merely as a conversation between ourselves. He then stated, that two measures which M. Talleyrand proposed being adopted, a restoration of friendship between the republics would follow immediately; the one was a gratuity of fifty thousand pounds sterling, the other a purchase of thirty-two millions of Dutch rescriptions; that as to the first, M. de Beaumarchais had received, in a cause depending in Virginia, between that state and himself, 145,000*l.* sterling; that there was an appeal from the judgment; that he would sign an act to relinquish forty-five thousand pounds, if the whole should be finally recovered, leaving only one hundred thousand pounds for himself; that the forty-five thousand pounds might accrue to the United States, who would, in that case, lose but a small part of the fifty thousand pounds; that the purchase of sixteen millions of rescriptions would amount to but one million three hundred and thirty-three thousand pounds six shillings and eightpence sterling; which, with an interest of five per cent. would be certainly paid by the government of Holland to the United States, and leave them without any loss; that more than half the sum may now be hired in Holland, on the credit of the rescriptions, and an easy arrangement be made for payment by short instalments, which might be obtained also by a loan; that it was worthy the attention of the envoys to consider whether, by so small a sacrifice, they would establish a peace with France, or whether they would risk the consequences; that if nothing could be done by the envoys, arrangements would be made forthwith to ravage the coasts of the United States by frigates from St. Domingo; that small states which had offended France were suffering by it; that Hamburgh, and other cities in that quarter, would, within a month or two, have their governments changed; that Switzerland would undergo the same operation; and that Portugal would probably be in a worse predicament: that the expedition against England would be certainly

tainly pursued; and that the present period was the most favourable, if we wished to adopt any measure for a pacification.

Mr. Gerry, in answer, said, that if the French were disposed to pursue with vengeance the United States, they might perhaps ravage their coasts, and injure them in this way, but they never could subdue them: the measure he thought utterly impracticable, even if attempted by France and her allies. To which M. Y. assented. Mr. Gerry observed farther, that the ravages alluded to would undoubtedly closely connect the United States and Great Britain, and prevent the former from returning to the friendship which they have ever had for France; that as to the propositions, he should express no opinion on them; that his situation, and that of his colleagues, was extremely difficult; that the Directory was exclusively prejudiced against the government of the United States, and considered them as the friends of Great Britain; that if the envoys could have an opportunity of being heard, they could remove such impressions, and show that the government were the friends of France as much as of Great Britain; but that the envoys were now in the most painful situation; that they were treated, in the eyes of all Europe, and of the American government and nation, with the utmost contempt, and were submitting to indignities which they could not reconcile to their feelings, or justify to their constituents.

M. Y. said, that the observations were just; but that the American envoys had not experienced worse treatment than other ministers, nor, indeed, as bad; that the envoy of Portugal was again ordered to depart; and that but little ceremony was observed to the envoys in general. M. Y. and Mr. Gerry then took a ride to M. Talleyrand's bureau, who received them politely: and, after being seated, Mr. Gerry observed to M. Talleyrand, in English, slowly, that M. Y. had stated to him that morning some propositions as coming from M. Talleyrand, respecting which Mr. G. could give no opinion: that his object at this interview was, to request of him information whether he would fix a time for taking a dinner with Mr. Gerry, at which he proposed to invite his colleagues; that he wished for more frequent interviews of some kind or other between himself and the envoys, conceiving that many imaginary difficulties which obstructed the negotiation would vanish by this means; and that those which were real would be surmounted: that conceiving the delicate part which the minister of France had to act at this time, he did not wish M. Talleyrand to accept the invitation, if it would subject him to inconveniencies: that he wished to speak on another

subject, and it was painful to him to acknowledge that the precarious situation of the envoys was such as to render it impossible for them to take measures for decent arrangements; that a short time since he had supposed measures were taking a favourable turn; but that lately he had received, from various quarters, information of a report made by the minister of the interior, and under the consideration of the Directory, for sending all Americans from Paris in twenty-four hours; that he could not be responsible for the truth of the information; but it appeared to him, as well from the various quarters from which it came, as from the intelligence of the person who gave it, to be highly probable; that, if this was the case, it was unnecessary for the Directory, as he conceived, to pass any *arrête*, as it respected the envoys, for that they would depart from Paris whenever it was hinted as the wish of the Directory; that, for his own part, he should feel more at ease until we were received, to reside in a city of some other nation than that of France; and to return to Paris on notice that the Directory were disposed to open the negotiation.

M. Talleyrand appeared to be very uneasy at this declaration, but avoided saying a word on it. He said, that the information M. Y. had given me was just, and might always be relied on; but that he would reduce to writing his propositions, which he accordingly did; and after he had shown them to Mr. Gerry, he burnt the paper. The substance was as follows. (See No. 1. below.)

He then said, that he accepted of the invitation; that he would dine with him the decade after the present, in which he was engaged.

Mr. Gerry did not repeat all that he had said to M. Y. having no doubt he would communicate the whole to M. Talleyrand. And, after expressing a friendship for the French republic, and a warm desire to renew the former attachment of the two republics, which M. Talleyrand warmly reciprocated, Mr. Gerry bid M. Talleyrand adieu, leaving with him M. Y.

No. 1.

That the envoys should come forward generally, and say—
 “ France has been serviceable to the United States, and now they wish to be serviceable to France: understanding that the French republic has sixteen millions of Dutch rescissions to sell, the United States will purchase them at par, and will give her farther assistance when in their power.

“ The first arrangement being made, the French government will take measures for reimbursing the equitable demands of
 America,

America, arising from prizes, and to give free navigation to their ships in future."

No. V.

Dear Sir,

Paris, Jan. 8, 1798.

WE embrace an unexpected opportunity to send you the *Re-dacteur* of the 5th inst. containing the message of the Directory to the Council of Five Hundred, urging the necessity of a law, to declare as good prize all neutral ships, having on board merchandises and commodities, the production of England, or of the English possessions, that the flag, as they term it, may no longer cover the property; and declaring farther, that the ports of France, except in case of distress, shall be shut against all neutral ships, which, in the course of their voyage, shall have touched at an English port. A commission has been appointed to report on the message, and it is expected that a decree will be passed in conformity to it.

Nothing new has occurred since our last, in date of 24th ult. We can only repeat, that there exists no hope of our being officially received by this government, or that the objects of our mission will be in any way accomplished.

We have the honour to be, with great respect,

Your most obedient servants,

CHARLES COTESWORTH PINCKNEY:

J. MARSHALL.

E. GERRY.

T. Pickering, Esq.

*Postscript to a Triplicate of the Envoys' Letter, No. V. received
30th March 1798.*

THE law above-mentioned has been passed unanimously by the Council of Five Hundred, and we enclose a journal containing the account. There is no doubt but that it will be adopted without opposition by the Council of Ancients.

TRANSLATION.

Message to the Council of Five Hundred, of the 15th Nivose, 6th Year (4th Jan. 1798).

Citizens Representatives,

ON this day, the 15th of Nivose, and at the very hour at which the Executive Directory addresses this message to you, the municipal administrators, the justices of the peace, the commissaries of the Directory, and the superintendants of the customs,

toms, are proceeding in all the chief places of the departments, in all the ports, and in all the principal communes of the republic, to seize the English merchandise now in France, or introduced into its territory, in contravention of the law of the 10th Brumaire, 5th year (October 31, 1796).

Such is the first act by which, now that peace is given to the continent, the war declared long since against England is about to assume the real character that becomes it. The French will not suffer a power which seeks to found its prosperity upon the misfortune of other nations to raise its commerce upon the ruin of that of other states, and which, aspiring to the dominion of the seas, wishes to introduce every where the articles of its own manufacture, and to receive nothing from foreign industry—any longer to enjoy the fruit of its guilty speculations.

The English government has kept in pay, during the war, the coalesced forces, with the produce of its manufactures. It has violated all the principles of the law of nations, in order to shackle the relations of neutral powers; it has caused to be seized the provisions, corn, and commodities, which it supposed to be destined for France: it has declared contraband every thing which it thought could be useful to the republic; it desired to starve it.—All the citizens call for vengeance.

When it had to fear the capture of vessels sailing under its flag, it corrupted foreign captains to induce them to take on board their vessels English merchandise, and thus to introduce it, by stratagem, by fraud, or otherwise, into other states, and especially into the French republic.

The neutral powers should have perceived that, by this conduct, their merchants took part in the war, and that they lent assistance to one of the belligerent powers.

We serve a party as well when we procure for it the means of augmenting its forces, as when we unite ourselves to those which it has. The neutral powers should have perceived that England, by stopping the vessels of other powers, laden in their respective ports, and destined for France, by permitting articles coming from her own manufactories alone to circulate, aimed at an exclusive commerce, and that it would be necessary to seek reparation for such an attempt.

The ordinance of the marine, and the regulations of 1704, have declared lawful prize the vessels and their cargoes in which is found English merchandise belonging to enemies. These provisions should be extended; the interest of Europe requires it.

The Directory thinks it urgent and necessary to pass a law, declaring that the character of vessels, relative to their quality of neutral or enemy, shall be determined by their cargo, and the cargo shall be no longer covered by the flag; in consequence, that every vessel found at sea, having on board English provisions
and

and merchandise as her cargo, in whole or in part, shall be declared lawful prize, whosoever may be the proprietor of these provisions or merchandise : which shall be reputed contraband, for this cause alone, that they come from England or her possessions.

It would be useful to declare, at the same time, that, except in the case of distress, the ports of the republic shall be shut to all foreign vessels, which, in the course of their voyage, shall have entered those of England. The Executive Directory requests you, citizens representatives, to adopt these measures. No neutral or allied power can mistake their object, nor complain of them, unless it be already abandoned to England. The infallible effect of the measure is to enhance the value of the produce of their own soil and industry, to increase the prosperity of their commerce, to repel every thing that comes from England, and essentially to influence the conclusion of the war.

Such are the motives which induce the Executive Directory to invite you, citizens representatives, to take the object of this message into the most prompt consideration.

(Signed)

P. BARRAS, President.

LAGARDE, Secretary-general.

Message of the President of the United States to both Houses of Congress, May 4, 1798.

Gentlemen of the Senate, and Gentlemen of the
House of Representatives,

I NOW transmit to Congress copies of all the communications from our envoys extraordinary received since their arrival in Paris, excepting those before presented by me to both Houses.

United States, May 4, 1798.

JOHN ADAMS.

Dear Sir,

Paris, February 7, 1798.

WE transmit to you in this enclosure our last letter to the minister of foreign relations ; though dated the 17th ult. it was not, on account of the time taken to translate so long a letter, delivered till the 31st. In our communications here, although we have, agreeably to your instructions, written in our own language, we at the same time have taken the precaution, lest our meaning should be misrepresented or misunderstood, to accompany them with an accurate translation. We have not yet received any answer to this communication, and, should no notice be taken of it in a few days, we shall apply in a more explicit manner for our passports.

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The Councils have passed the decree mentioned in No.V. as having been recommended by the Directory to capture and condemn all neutral vessels laden in part, or in whole, with the manufactures or productions of England, or its possessions. We enclose you the official copy of the report on that subject, and shall represent to this government the injustice and injury which it must inevitably occasion us.

We have the honour to be, with great respect, your most obedient humble servants,

CHARLES COTESWORTH PINCKNEY.

J. MARSHALL.

E. GERRY.

Colonel Pickering, Secretary of the United States.

To the Minister of Foreign Affairs of the French Republic.

Citizen Minister,

THE undersigned envoys extraordinary and ministers plenipotentiary from the United States of America to the French republic, have been hitherto restrained by the expectation of entering on the objects of their mission in the forms usual among nations, from addressing to the Executive Directory, through you, those explanations and reclamations with which they are charged by the government they represent. If this expectation is to be relinquished, yet the unfeigned wish of the United States to restore that harmony between the two republics, which they have so unremittingly fought to preserve, renders it the duty of the undersigned to lay before the government of France, however informal the communication may be deemed, some considerations, in addition to those already submitted, relative to the subsisting differences between the two nations.

Openly and repeatedly have France and America interchanged unequivocal testimonials of reciprocal regard. These testimonials were given by the United States with all the ardour and sincerity of youth. It is still believed, that on the part of France they were likewise the offspring of real esteem. They were considered on the other side of the Atlantic as evidencing a mature friendship to be as durable as the republics themselves. Unhappily the scene is changed; and America looks around in vain for the ally or the friend. The contrast both of language and of conduct which the present so avowedly exhibits to a portion of the past, has been repeatedly attributed by France to a disposition alleged to exist in the government of the United States, unfriendly to this republic, and partial towards its enemies.

That government, astonished at a reproach so unfounded in fact, so contradicted by its declarations and its conduct, could scarcely

scarcely consider this charge as serious, and has ever cherished the hope, that a candid review of its conduct, founded on the documents, and aided by the arguments with which the Executive Directory has been furnished, would have rescued it from the injurious suspicion. This hope seems not to have been realized. The undersigned, therefore, deem it proper to precede their application for that justice which they claim from France, by an effort to remove the cause, which is alleged to have produced the injuries of which they complain. With this view, they pray the attention of the Executive Directory to a serious and candid reconsideration of the leading measures adopted by the government of the United States, and they persuade themselves, that, however various and multiplied the channels may be through which misinformation, concerning the dispositions of that government, may have been received, yet this reconsideration must remove unfounded prejudices, and entirely exculpate the American nation from an accusation it knows to be unfounded, and believes to be supported by no single fact.

When that war which has been waged with such unparalleled fury, which, in its vast vicissitudes of fortune, has alternately threatened the very existence of the conflicting parties, but which, in its progress, has surrounded France with such splendour, and added still more to her glory than her territory—when that war first involved those nations with whom the United States were in habits of friendly intercourse, it became incumbent on their government to examine their situations, their connexions, and their duties. America found herself at peace with all of the belligerent powers. She was connected with some of them by treaties of amity and commerce, and France by a treaty of alliance also. These several treaties were considered with the most serious attention, and with a sincere wish to determine, by fair construction, the obligations which they really imposed. The result of this inquiry was a full conviction, that her engagements by no means bound her to take part in the war, but left her so far the mistress of her own conduct, as to be at perfect liberty to observe a system of real neutrality. It is deemed unnecessary to analyse those treaties in order to support the propriety of this decision, because it is not recollected ever to have been questioned, and is believed not to admit of doubt.

Being bound by no duty to enter into the war, the government of the United States conceived itself bound by duties the most sacred to abstain from it. Contemplating man, even in a different society, as the friend of man, a state of peace, though unstipulated by treaty, was considered as imposing obligations not to be wantonly violated.

These obligations, created by the laws of nature, were in some instances

instances strengthened by solemn existing engagements, of which good faith required a religious observance.

To a sense of moral right, other considerations of the greatest magnitude were added, which forbade the government of the United States to plunge them unnecessarily into the miseries of the bloody conflict then commencing. The great nations of Europe, either impelled by ambition, or by existing or supposed political interests, peculiar to themselves, have consumed more than a third of the present century in wars. Whatever causes may have produced so affecting an evil, they cannot be supposed to have been entirely extinguished, and humanity can scarcely indulge the hope, that the temper or condition of man is so altered as to exempt the next century from the ills of the past. Strong fortifications, powerful navies, immense armies, the accumulated wealth of ages, and a full population, enable the nations of Europe to support those wars in which they are induced to engage, by motives which they deem adequate, and by interests inclusively their own. In all respects different is the situation of the United States; possessed of an extensive unsettled territory, on which bountiful Nature has bestowed with a lavish hand all the capacities for future legitimate greatness, they indulge no thirst for conquest, no ambition for the extension of their limits. Encircled by no dangerous powers, they neither fear nor are jealous of their neighbours, and are not, on that account, obliged to arm for their own safety. Separated from Europe by a vast and friendly ocean, they are but remotely, if at all, affected by those interests which agitate and influence this portion of the globe. Thus circumstanced, they have no motive for a voluntary war. On the contrary, the most powerful considerations urge them to avoid it. An extensive and undefended commerce, peculiarly necessary to a nation which does not manufacture for itself, which is, and for a long time to come will be, almost exclusively agricultural, would have been its immediate and certain victim. The surplus produce of their labour must have perished on their hands, and that increase of population so essential to a young country, must, with their prosperity, have sustained a serious check. Their exertions, too, would not have been considerable, unless the war had been transferred to their own bosoms.

Great as are the means and resources of the United States for self-defence, it is only in self-defence that those resources can be completely displayed. Neither the genius of the nation, nor the state of its finances, admit of calling its citizens from the plough, but to defend their own liberty and their own fire-sides. How criminal must have been that government, which could have plunged its constituents in a war, to which they were neither impelled by duty or solicited by interest; in which they committed
so

so much to hazard; in which they must suffer in order to act efficiently, and could only display their energy too in repelling invasion? But motives still more powerful than the calamities of the moment have influenced the government of the United States.

It was perhaps impossible to have engaged voluntarily in the existing conflict, without launching into the almost boundless ocean of European politics, without contracting habits of national conduct, and forming close political connexions, which must have compromised the future peace of the nation, and have involved it in all the future quarrels of Europe. A long train of armies, debts, and taxes, checking the growth, diminishing the happiness, and endangering the liberty of the United States, must have followed the adoption of such a system. And for what purpose should it have been adopted? For what purpose should America thus burden herself with the conflicts of Europe?—Not to comply with any engagements she has formed, not to promote her own views, her own objects, her own happiness, or her own safety, but to move as a satellite around some greater planet, whose laws she must of necessity obey. In addition to these weighty considerations, it was believed that France would derive more benefit from the neutrality of America, than from her becoming a party in the war.

The determination then of the government of the United States to preserve that neutral station in which the war found them, far from manifesting a partiality for the enemies of France, was only a measure of justice to itself and others, and did not even derogate from that predilection for this republic, which it has so repeatedly expressed and displayed. Having avowed this determination, increased motives of honour and of duty commanded its faithful observance. It is not a principle which remains now to be settled, that a fraudulent neutrality is no neutrality at all; and that the nation which would be admitted to its privileges must also perform the duties it enjoins. Had the government of the United States, declaring itself neutral, indulged its partialities by granting favours untrammelled by treaty, to one of the belligerent powers, which it refused to another, it could no longer have claimed the immunities of a situation of which the obligations were forgotten; it would have become a party to the war as certainly as if war had been openly and formally declared; and it would have added to the madness of wantonly engaging in such hazardous conflict, the dishonour of insincere and fraudulent conduct; it would have attained circuitously an object which it could not plainly avow or directly pursue, and would have tricked the United States into a war which it could not venture openly to declare.

It was a matter of real delight to the government and the people
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of America to be informed, that France did not wish to interrupt the peace they enjoyed.

The undersigned have been induced to rest upon this first necessary and decisive step taken by their government, although its propriety may not be controverted, from a conviction, that, if the right of the United States to observe a fair and honest neutrality be established, the general charges of an unfriendly disposition made against them by France must be relinquished, because the facts by which those charges are supported will be found to have grown inevitably out of that situation.

This measure was accompanied by another, which, in repelling so astonishing a charge as partiality for the enemies of France, deserves to be noticed. Soon after the government of the United States had noticed to its citizens the duties which its neutrality enjoined, Mr. Genet, the first minister from this republic, arrived at Philadelphia: although his conduct had been such as to give cause for serious alarm; although, before he was even acknowledged as a minister, or had reached the authority which could inspect his credentials, he had assumed the functions of the government to which he was deputed; yet the government was resolved to see in him only the representative of a republic to which it was sincerely attached, gave him the same warm and cordial reception which he had experienced from its citizens, without single exception, from Charleston to Philadelphia. The other situation of France deserves to be remembered.

While the recollection adds, Citizen Minister, to the glory with which your nation is encircled, it establishes the sincerity of the United States.

The most formidable combination that the world had ever seen threatened the extermination of this republic. Austria, Germany, Prussia, Britain, Spain, Holland, and Sardinia, were in arms against France, and Russia was leagued in the coalition. Nor was this all: the republic, distracted by internal divisions, contained numerous enemies within its own bosom, and a considerable portion of its proper force was arrayed against itself. In such a state of things the most sanguine might fear and the most ardent hesitate. Confident in their strength, and relying on success, the coalesced powers sought to arm in their cause the residue of the world, and deemed it criminal to acknowledge the sovereignty of the republic. The nations of Europe, even those who had not entered into the contest, were either of themselves unwilling to acknowledge this sovereignty, or were deterred by fear from doing so. Had the partialities of America been against France, this example would have been followed. According to the rules of ordinary calculation the measure would have been safe, and consequently a government feeling the attachments now so unjustly attri-

ted to that of the United States, would have indicated those
ments by its adoption. Far from pursuing such a system,
nited States, unawed by the strength of the coalition, re-
with open arms the minister of this republic, acknow-
with enthusiasm the government which had deputed him,
oked his extraordinary attacks on their sovereignty, and
ested a cordial friendship for his nation and a sincere wish
success.

rcely were the first ceremonies of his reception over, when
Genet displayed a disposition to usurp and exercise, within
nited States, the choicest and most important duties and
s of sovereignty. He claimed the privileges of arming
mbodily the citizens of America within their own terri-
to carry on from thence expeditions against nations with
they are at peace, of fitting out and equipping within their
privateers, to cruise on a commerce destined for their
of exercising within their jurisdiction an independent judi-
and arraigning their government at the bar of the people.
ndersigned will not ask, in what manner France would have
l any foreign minister who should have dared so to conduct
if towards this republic?—But in what manner would the
ican government have treated such a minister, if the repre-
ve of a nation it viewed with coldness or even indifference?
at manner would it have treated him, had he been the re-
stative of any other nation than France? No man acquainted
that government can doubt how these inquiries ought to be
red. From the minister of France alone could this extra-
ry conduct be borne with temper. To have continued to
borne it, without perceiving and feeling its extreme impro-
, would have been to have merited the contempt as well of
e as of the powers of the earth. The government of the
d States did feel it; but far from transferring to his nation
esentment, which such conduct could not fail to excite, it
uished strongly between the government and its minister;
re representations it made were in the language of a friend
d but not irritated by the injuries it complained of. The
of that minister was received with universal joy, as a con-
ion that his whole system of conduct was attributable only
nself; and not even the publication of his private in-
ons could persuade the American government to ascribe any
f it to this republic.

the same time the exertions of the United States to pay up
rearages of their debt to France, which had been unavoid-
ermitted to accumulate; to make disinterested and liberal
es to the sufferers of St. Domingo, thrown suddenly upon
without provisions or money, whose recommendation was,
hey were Frenchmen and unfortunate; the perseverance

with which they apologized for and ascribed any occasional injuries they sustained to the force of circumstances; the interest which they continued openly to take in all the fortune of the republic—manifested partialities of a very different sort from those which have been so unjustly attributed to them.

At this period too, a great principle was brought into discussion, the dispassionate consideration of which is essential to the fair estimate of the charges made by France against the government of the United States. The property of French citizens was taken by British cruisers and ships of war, out of American bottoms, and the American government submitted to the practice. The propriety of submitting to it depends entirely on the naked right of the captors, under the existing circumstances of the case, to exercise such a power. The circumstances were these: in the treaty of commerce made between France and the United States in February 1778, it was stipulated in substance, that neither party should take out of the vessels of the other, the goods of its enemy, but that the character of the bottom should be imparted to its cargo. With England the United States had made no stipulation on the subject.

It follows then, that the rights of England, being neither diminished or increased by compact, remained precisely in their natural state, and were to be ascertained by some pre-existing acknowledged principle.

This principle is to be searched for in the law of nations. That law forms, independent of compact, a rule of action by which the sovereignties of the civilized world consent to be governed. It prescribes what one nation may do without giving just cause of war, and what, of consequence, another may and ought to permit without being considered as having sacrificed its honour, its dignity, or independence.

What then is the doctrine of the law of nations on this subject? Can neutral bottoms of right, independent of particular compact, protect hostile goods? The question is to be considered on its own right, uninfluenced by the wishes or the interests of a neutral or belligerent power.

It is a general rule that war gives to a belligerent power a right to seize and confiscate the goods of his enemy. However humanity may deplore the application of this principle, there is perhaps no one to which man has more universally assented, or to which jurists have more uniformly agreed. Its theory and its practice have unhappily been maintained in all ages. This right then may be exercised on the goods of an enemy wherever found, unless opposed by a superior right. It yields by common consent to the superior right of a neutral nation to protect, by virtue of its sovereignty, the goods of either of the belligerent powers found within its jurisdiction. But can this right of protection, ad-

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mitted to be possessed by every government within its own limits in virtue of its absolute sovereignty, be communicated to a vessel navigating the high seas?

It is supposed that it cannot be so communicated ; because the ocean being common to all nations, no absolute sovereignty can be acquired in it—the rights of all are equal, and must necessarily check, limit, and restrain each other. The superior right therefore of absolute sovereignty to protect all property within its own territory, ceases to be superior when the property is no longer within its own territory, and may be encountered by the opposing acknowledged right of a belligerent power to seize and confiscate the goods of his enemy. If the belligerent permits the neutral to attempt without hazard to himself, thus to serve and aid his enemy, yet he does not relinquish the right of defeating that attempt whenever it shall be in his power to defeat it. Thus it is admitted that an armed vessel may stop and search at sea a neutral bottom, and may take out goods which are contraband of war, without giving cause of offence, or being supposed in any degree to infringe neutral rights. But this practice could not be permitted within the rivers, harbours, or other places of a neutral, where its sovereignty was complete. It follows then that the full right of affording protection to all property whatever, within its own territory, which is inherent in every government, is not transferred to a vessel navigating the high seas. The right of a belligerent over goods of his enemy within his reach, is as complete as his right over contraband of war ; and it seems a position not easily to be refuted, that a situation that will not protect the one, will not protect the other. A neutral bottom then does not of right, in cases where no compact exists, protect from his enemy the goods of a belligerent power.

To this reasoning the practice of nations has conformed, and the common understanding of mankind seems to have assented. Vattel, B. 3, Sect. 115, says positively, “ that effects belonging to an enemy, found on board a neutral ship, are seizable by the rights of war.”

Vattel is believed to be supported by the most approved writers on the same subject. It is deemed unnecessary to multiply citations on this point, because France herself is supposed to have decided. In her maritime ordonnance of the year 1744, which is considered as having been in force in 1778, enemies goods in neutral bottoms generally are declared liable to seizure and confiscation. From the operation of this rule are excepted the vessels of Denmark and the United Provinces, to whom special treaties secured an exception. In the ordonnance of the 26th of July 1778, the first article of which is considered as forbidding the cruisers of France to stop and bring into port neutral vessels, having on board the goods of an enemy, a power is reserved to revoke the privilege granted

granted to neutrals by that article, if the enemy should not ~~gr~~ the same privilege within six months from the publication of ~~the~~ regulation. This clearly indicates a conviction that the exemption from captures of the goods of an enemy, which should ~~be~~ be found on board the vessel of a neutral power, not having stipulated such exemption by treaty, was a privilege granted by the ordonnance; and that the mere revocation of the ordonnance would abolish the privilege, and restore the ancient rule. It will not be contended that France continued in a long course of practice and of legislation opposed to her own opinion of the laws of nations. It must then be considered as the opinion of France, that under the law neutral bottoms afford no protection to the goods of an enemy. This principle, thus admitted to have been established, is supposed by some to have been changed by the armed neutrality. A new law of nations, it is pretended, was introduced by the confederation; but who were the parties to that confederation, and what was its object? The northern maritime powers united to protect by force, in their own bottoms, during the then existing war, the goods of either and of all the belligerent powers. The compact in its own nature was confined with respect to its object and its duration. It did not purport to change, nor could it change permanently and universally, the rights of nations not becoming parties to it. It did indeed hold forth the promise of future more permanent, and more general engagements for the same object; but such engagements were never formed. How then can this temporary and partial convention be considered as altering, radically and generally, principles which have been radically and universally adopted, and in the modifications of which all have an interest? Would France herself admit that a combination, such as that which constituted neutrality, may rightfully change the law of nations, and establish a new code of universal obligation? It is believed that no nation on earth would more perseveringly oppose such an invasion of its sovereignty.

There seems then to be no solid ground for maintaining, that the general law of nations has been at all varied by the armed neutrality.

It remains to inquire whether the treaties between France and the United States pledge either nation to assert and establish the principle, that free bottoms make free goods.

The treaty of amity and commerce, concluded the 6th of February 1778, stipulates reciprocally for the right of trading with and protecting the goods of the enemy of either party in the vessels of the other, and in turn surrenders its own goods found in the vessels of an enemy; but it contains no clause imposing on either party the duty of extending the principle, or of supporting its application to other nations. The stipulations of that treaty are negative as well as affirmative. They specify as well the disabilities

abilities intended to be created, and the duties to be imposed, as privileges designed to be granted. Had it been intended that her nation should have been bound to maintain this principle in intercourse with others, or should have been in any degree incapacitated from prosecuting freely that intercourse, without previous admission of the principle, a stipulation to that effect could have been made. No such stipulation having been made, the parties cannot be presumed to have intended it. Indeed it would have been madness in the United States, under their present circumstances, to have formed such an agreement. There being no express stipulation to this effect, it cannot be supposed to have been implied. Nations forming a solemn compact which ought to regulate their conduct towards each other, which is to be resorted to for the standard of adjusting their differences, do not leave to implication such delicate and important points. Indeed, if a great principle not mentioned is permitted to be implied, the object of a written agreement, which is itself to evidence all the obligation it creates, is totally defeated. But who is to make the implication, and to what extent is implication to be allowed? It is very easy to perceive, that the doctrine of implying in contracts stipulations never formed, would destroy all certainty of construction, and open a boundless field of controversy to the contracting parties.

It results from the very nature of a contract which affects the rights of the parties, but not of others, and from the admission of a general rule of action, binding independent of compact, which may be changed by consent, but is only changed so far as that consent is actually given, that a treaty between any two nations must leave to all others those rights which the law of nations acknowledges; and must leave each of the contracting parties subject to the operation of those rights. For the truth of this position, believed to be so clear in itself, and which it is supposed the history of Europe will illustrate, the ordonnance of 1744, already quoted, is considered as furnishing an unequivocal authority. By that ordonnance, the law of nations is applied to all those neutrals with whom France had not stipulated, that the neutrality of their bottoms should be imparted to their cargoes, while those with whom such stipulations had been made, are exempted from the application of the law.

The desire of establishing universally the principle that neutral bottoms shall make neutral goods, is perhaps felt by no nation on earth, more strongly than by the United States. Perhaps no nation is more deeply interested in its establishment. It is an object they keep in view, and if not forced by violence to abandon, they will pursue in such manner as their own judgment may dictate as being best calculated to attain it; but the wish to establish a principle is essentially different from a determina-

established. The interests of the United States could not fail to produce the wish; their duty forbid them to indulge it, when deciding on a mere right. However solicitous America might be to pursue all proper means, tending to obtain for this principle the assent of all or any of the maritime powers of Europe, she never conceived the idea of obtaining that consent by force.

The United States will only arm to defend their own rights: neither their policy nor their interests permit them to arm, in order to compel a surrender of the rights of others. These and other considerations, which have been submitted to the government of France, produced on the part of the United States, a decision, that their bottoms could not of right protect the goods of a belligerent power from an enemy not bound to respect the principle. This decision was founded on the most perfect conviction that it was enjoined by the law of nations; and that good faith, respect for truth, and for the duties of an upright and honest judgment, render it indispensable. This conviction remains unshaken. If these arguments, which still appear conclusive to the American government, have not the same operation on the judgment of France, they must at least be sufficient to evince the sincerity with which that government has acted; and to prove that its conduct, in this respect, was produced by a sense of duty, and not by any partiality for a nation against which it was, at that time, considerably irritated by other causes.

The undersigned, Citizen Minister, rely too implicitly on your candour and discernment, to apprehend that you will estimate improperly the motives which on this essential point have influenced and guided the United States.

The early decision of the American government on this subject was immediately openly avowed, and amply supported by Mr. Jefferson, the then secretary of state, in his letter to Mr. Genet, dated the 24th of July 1793, and in his letter to Mr. Morris, dated 16th of August in the same year. The arguments which those letters contain, were supposed to have satisfied the government of France, since its ministers in the United States no longer controverted the principle they supported. Indeed those arguments appeared too conclusive to permit a doubt concerning the success which would attend them.

In August 1794, when Mr. Monroe, the then minister of the United States to this republic, was received into the bosom of the Convention, France obviously did not consider the acknowledgment of this established principle of the law of nations, as indicating a partiality towards her enemy. The language used on the occasion could only have been used to the minister of a nation whose friendship was valued, and whose conduct had evinced the sincerity of its professions. It was then declared "that the sweetest, the frankest fraternity united in effect the two republics,"

publics," and that "their union would be for ever indissoluble." These declarations, made long after America had avowed its neutrality, and had avowed its acquiescence under the principle that a belligerent power, unrestrained by particular treaty, may of right take out of the bottoms of a neutral, the goods of its enemy, demonstrate that neither that neutrality nor that acquiescence induced the want of a proper regard for France. The government of the United States still cherishes the hope, that this true and fair estimate then made of its conduct, may soon be resumed by a nation whose friendship it has assiduously and unremittingly cultivated, by all those means which good faith and justice would permit it to use.

After the discussion of this interesting question was supposed to have been closed, and France was believed to have been entirely content with that system in which the United States found themselves bound to persevere, some complaints were made, not against the principles adopted by the government, but against the application of those principles to particular cases supposed not to come within them. The neutrality of the United States could not permit prize to be made of those vessels belonging to nations with whom they were at peace, within their jurisdiction, or by privateers fitted out in their own ports. Regulations to this effect were necessarily made, and to enforce the observance of those regulations was a duty not to be dispensed with. The right of one of the belligerent powers to obtain the release of a vessel captured under such circumstances, was as sacred as the right of the captor to a vessel taken on the high seas, and which according to the usage of war was lawful prize. The United States were bound to respect the rights of both. To do so, it was necessary to examine the facts; for which purpose, a tribunal, in which both parties might be fairly heard, was unavoidable. Some complaints were made of particular vexations, and each complaint has been particularly attended to. It is believed to be unnecessary to review these several cases, because the undersigned are entirely persuaded that the explanations already given must have been completely satisfactory. Should any one of them be still considered as furnishing subject for complaint, the undersigned will proceed to its investigation, with the most sincere desire to attain truth, and to redress the wrong, if any has been committed.

During this period, the causes of complaint against France, on the part of the United States, were by no means inconsiderable. Their commerce was not exempt from depredations, believed to be entirely unwarrantable, made upon it by the cruisers of this republic.

On the 9th of May 1793, the National Convention passed a decree relative to the commerce of neutrals, the first article of which is in these words: "The French ships of war and privateers

teers may stop and bring into the ports of the republic such neutral vessels as are loaded, in whole or in part, either with provisions belonging to neutrals, and destined for enemies ports, or with merchandise belonging to enemies." In consequence of the remonstrances of the American minister, the Convention, on the 23d of May, declared, " that the vessels of the United States are not comprised in the regulations of the decree of the 9th of May." On the 28th of the same month the Convention repealed the decree of the 23d; on the 1st July they re-established it; on the 27th July it was again repealed. Under the decree of the 9th May, the vessels of the United States were captured, brought into the ports of France, and their cargoes disposed of. Could this decree, Citizen Minister, be regarded otherwise than as infringing the laws of nations, the rights of neutrals, and the particular engagements subsisting between France and the United States?

When, on the 8th June in the same year, the British government issued a similar order, its injustice produced a ferment throughout America, indicating strong dispositions immediately to oppose its execution by force. The letter of Mr. Jefferson, the then secretary of state, to the minister plenipotentiary of the United States at London, dated the 7th September 1793, and remonstrating against the order of the 5th June, contains so much justness of sentiment and strength of argument, as to have been quoted by your predecessor in his letter to Mr. Monroe of the 9th March 1796.

It cannot escape you, Citizen Minister, that the arguments of Mr. Jefferson, concerning the order of the 8th June, apply conclusively to the decree of the 9th May; and that to them are to be added those arguments which are to be drawn from the hardship of being absolutely compelled, without any alternative, to part with the cargoes in France, and those also which are drawn from the duties imposed by an express and solemn treaty.

Nothing can demonstrate more conclusively the real temper of the United States, than the difference between the reception given to the decree of the Convention of the 9th May, and that which was given to the order of the British cabinet of the 8th June.

A large number of American vessels, too, were for a long time detained at Bourdeaux, very much to the injury of the owners, without assigning a motive for such detention, or putting it in the power of the government to conjecture the cause of a measure which so deeply affected the interest of their fellow-citizens. These and other embarrassments were experienced; but they could not diminish the attachment of the United States to France. In the midst of them, prayers were offered up through the whole extent of the American continent for the success of this republic. The government feeling the same sentiment, displayed it, at least

as far as was compatible with the decent deportment required from a nation not a party in the war, and professing neutrality. Such would not have been the conduct of a government and people in secret unfriendly to France.

Very strong and just resentments were at that time inspired by the hostile conduct of Britain. The instructions of June 1793, whereby American vessels laden with provisions for France were brought into the ports of Britain, there to sell such cargoes, or to have security to sell them in other ports in amity with England, and the still more offensive order of November the 6th, in the same year, whereby vessels laden with the produce of a French colony were ordered to be brought in for adjudication, added to the pre-existing causes of mutual irritation, had produced such a state of things, as to render it obvious, that the injuries complained of by America must be entirely done away, or that war was the inevitable consequence.

This state of things was not so altered by the order of the 8th of January 1794, revoking that of the 6th of November 1793, as to promise a different result. But, as a nation preferring peace to war, will ever make a peaceful demand of reparation for injuries sustained, before that reparation is sought by the sword; and as the policy of America has ever been, "to pursue peace with unremitting zeal, before the last resource, which has so often been the scourge of nations, and could not fail to check the advanced prosperity of the United States, was contemplated;" an envoy extraordinary was deputed to his Britannic Majesty: "carrying with him a full knowledge of the existing temper and sensibility of his country, it was expected that he would vindicate its rights with firmness, and cultivate peace with sincerity."

Truly desirous as the American government were of preserving peace with Britain, its determination was unalterable, not to preserve it, nor to receive compensation for injuries sustained, nor security against their future commission, at the expense of the smallest of its engagements to France. Explicit and positive instructions to this effect were given to Mr. Jay, and those instructions were freely communicated to the minister of this republic, then at Philadelphia. The negotiation of the American envoy terminated in a treaty, in many respects desirable to the United States.

But however desirable its objects might be, the government of the United States would not have hesitated to reject them, had they been accompanied with any stipulation violating or weakening its engagements to France. But it has been able to discern no such stipulation. The 25th article of that treaty guards the rights of this republic by the following clause: "Nothing in this treaty contained shall, however, be construed to operate contrary to former and existing public treaties with other sovereigns or states."

states." The treaty with France being "a former and existing public treaty," and it being thus provided, that nothing contained in the treaty with Britain "should be construed to operate contrary to it," the government of the United States did not apprehend that the treaty with Britain could be considered as affecting its relations to France. But such was its attention to it, ally, that the instrument was, previous to its ratification, submitted to the consideration of the minister of this republic, who was invited to communicate freely to the government of the United States such observations upon it as he might judge proper. Mr. Adet, in a letter addressed to Mr. Randolph, dated 12th Melidor, 3d year of the French republic (30th June 1795), expresses his sense of this procedure in the following words: "This frank measure is to me a sure guarantee of the American government towards France, and of the fidelity with which it always marks its conduct towards a faithful ally." He then stated those reflections to which the reading of the treaty had given birth. The articles which relate to enemies goods in neutral bottoms, are mentioned without a comment. He contended that the list of contraband was swelled; and that the 23d, 24th, and 25th article of the treaty with Britain, ceded to that power advantages inconsistent with the previous cessions to France. This letter was answered by Mr. Randolph on the 6th of July following, who proves, that no article was enumerated in the list of contraband in the treaty between the United States and Britain, which was not of that description previous to its formation; and independent of it, noticed briefly the subject of enemy goods in neutral bottoms; and demonstrated, that the objections of Mr. Adet to the 23d, 24th, and 25th articles, were entirely founded on a misconstruction of them. This misconstruction was so apparent that Britain has never claimed it, nor would the American government ever have admitted it. The letter of Mr. Randolph closes the subject of enemy contraband, and of enemy property taken out of neutral bottoms, with a paragraph, to which, Citizen Minister, your attention is solicited: "Hitherto, however," says he, "I have spoken upon principles of right: upon any other principles, and more especially upon those of hardship and injury to a friend, it shall be a topic of the negotiation now opening between us. With the temper which will pervade the whole of it, I cannot doubt, that some modification may be devised and it may be separated from the general treaty, so as not to be delayed by it."

It was then apparent, that the government of the United States actuated by that friendship which transcends the line of strict obligation, was willing gratuitously to release her ally from those stipulations of a former treaty, which, in the course of events were deemed to operate unfavourably to her. This readiness

concede marks that friendship the more strongly, as the situations in which the two nations found themselves could not have been unforeseen, but was the very situation for which the article provides. The answer of Mr. Randolph concludes with requesting an opportunity to remove any remaining doubts, should there be such, by farther explanation: no remaining doubts were stated; and therefore, as well as for its contents, the letter was believed to be satisfactory to Mr. Adet: and it was hoped that this government, as well as that of America, would consider the treaty with Britain as an accommodation desirable by the United States, and not disadvantageous to France.

It is not easy to express the chagrin felt by the American government on learning that in this treaty the United States were supposed to have "knowingly and evidently sacrificed their connexion with this republic, and the most essential and least contested prerogatives of neutrality." With the firmness of conscious integrity, the United States aver, that they have never, knowingly, sacrificed or impaired their connexion with this republic nor the prerogatives of neutrality; but that they have, according to their best judgment, invariably sought to preserve both.

The undersigned will endeavour faithfully to state the impressions of the government they represent on this interesting subject. The objections made to this treaty by your predecessor in office, in his note to Mr. Monroe, dated 19th of Ventose, 4th year of the French republic, one and indivisible (9th March 1796), are:

1st. That the United States, besides having departed from the principles established by the armed neutrality, have given to England, to the detriment of their first allies, the most striking mark of an unbounded condescension, by abandoning the limits given to contraband by the law of nations, by their treaties with all other nations, and even by those of England with the greater part of the maritime powers.

2d. That they have consented to extend the denomination of contraband even to provisions. Instead of pointing out particularly, as all treaties do, the cases of the effective blockade of a place, as alone forming an exception to the freedom of this article, they have tacitly acknowledged the pretensions raised by England to create blockades in the colonies, and even in France, by the force of a bare proclamation.

Mr. Adet, in his letter to Mr. Pickering, dated 25th Brumaire, fifth year of the French republic, one and indivisible (15th Nov. 1796), repeated the same objection, and has been pleased also to superadd some observations relative to the formation of such a treaty generally, and the circumstances attending its negotiation, in terms not to have been expected by the first and almost [only] voluntary friend of the republic.

These

These having been the only specific objections officially made to the treaty with Britain by the government of France, either in Paris or in Philadelphia, are necessarily supposed to be the only objections which have occurred.

They have often been discussed on the part of the United States; but that discussion will be renewed, because, although the undersigned may be unable to suggest any argument not heretofore urged, they cannot resist the hope, that an attentive reconsideration of those arguments may give them a success which has not yet attended them.

The first objection may be supposed to consist of two parts; 1st, the abandonment of the principle, that neutral bottoms make neutral goods, an objection rather insinuated than expressed; and, 2dly, the addition to the catalogue of contraband.

1st. On the first part of the objection it is observable, that the statements of the late minister of exterior relations, and of Mr. Adet, seem to admit, but certainly do not controvert the position, that, previous to the formation of the armed neutrality, a belligerent power could rightfully take out of the bottoms of a neutral the goods of its enemy. This position is believed to be incontrovertible; some of the arguments in support of it have been already detailed, and it is deemed unnecessary to repeat or to add to them. To this principle of the armed neutrality, with a departure from which the United States seem to be impliedly charged, the note of Mr. De la Croix does not assign any obligation whatever; nor does he appear to consider it as having been engrafted by that confederation on the law of nations. On this point Mr. Adet has not been more explicit; he seems to have been content with vague insinuations, and not to have been willing to commit himself by a direct averment, that in consequence of the armed neutrality the law of nations on this subject is changed. The undersigned are unwilling to combat at length a proposition not positively advanced, which they deem so clearly indefensible, and will therefore refer to the brief observation already made respecting it.

It may not, however, be improper here to notice, that in February 1778, when the treaty between France and the United States was entered into, the armed neutrality had not been formed; of consequence, the state of things on which that treaty operated, was regulated by the law of nations, as it clearly existed previous to the formation of the armed neutrality. It is supposed to be admitted, that, according to that state of things, neutral bottoms could afford no protection to the goods of an enemy. The stipulation, then, of the article of that treaty was understood at the time, by the contracting parties, to form an exception to a general rule, which would retain its obligation in all cases where it was not changed. If, then, the contracting parties had designed

to impose on each other the necessity of extending this exception to other nations, so as to convert it into a general rule, they would have expressed this intention in their contract; not having expressed it, they must be considered as intending that this exception should form a rule as between themselves, while the general rule should govern as with other nations who had not consented to change it.

It is also worthy of observation, that when this treaty was made the United States were at war, and France at peace with Britain. In this state of things, which might have continued, had not war been declared, or hostilities commenced by England, the bottoms of France would have protected from American cruisers English property, while they would not have protected from British cruisers American property. This was the necessary result of that state of things under which the treaty was formed; America had consented to it, and neither could nor would have complained.

It is also to be noticed, that before the negotiation with England had commenced, the government of the United States had openly avowed that opinion on this subject which its best judgment dictated. This opinion, perfectly unconnected with that negotiation, was known by all to form and regulate the basis of its conduct. The letters from Mr. Jefferson already quoted had stated to the world the perfect conviction of the United States, that, by the law of nations, a belligerent power, not restrained by particular treaty, might rightfully take out of the bottoms of a neutral the goods of its enemy, as well as their determination that they could not, and ought not, to oppose the exercise of this right. The right having been clearly and unavoidably admitted, and the determination to acquiesce under its exercise having been avowed openly, Mr. Jay could only solicit its surrender.—Had no treaty been formed, or had that treaty omitted to mention the principle, the right would still have existed, would still have been acknowledged, and would still have been exercised. The treaty does not, in fact or in expression, cede a new privilege; it regulates the exercise of one before existing and before acknowledged to exist. The harsh means of exercising this right, which are given by the law of nations, are modified and softened by the treaty; and this is the only effect which the article on this subject has produced; it was the only motive, and it was a sufficient motive, for introducing it.

The second branch of this objection seems more to be relied on, and comes forward in a more decisive shape; it is—that the United States have abandoned the limit given to contraband by the law of nations, by their treaties with other nations, and even by those of England with the greater part of the maritime powers.

The

The limit of contraband is supposed to have been extended inserting in the catalogue naval stores and timber for ship-building.

To estimate rightly a charge so warmly made, it becomes indispensable to ascertain whether those articles are, independent of treaty, by the law of nations contraband of war: on this single point seems to rest the verity of the accusation.

It is regretted, that those who have averred the negative have not been pleased to furnish authorities in support of the opinion they advance. Such authorities would have been considered with candour, and any conviction they might have produced would have been freely acknowledged. But no such authorities are furnished, and it is believed that none exist.

America, solicitous to confine as much as possible by common consent the list of contraband, but determined, however it might oppose its enlargement, not to attempt its diminution by force, was under the necessity of examining the subject, and ascertaining the line of partition between the rights of neutrals and of belligerent powers.

As guides in such a search, she could only take the most approved writers on the law of nations: These are believed to class timber for ship-building, and naval stores for the equipment of vessels, among articles admitted to be contraband of war. Vattel (B. 7, Sect. 112) defines contraband goods to be "commodities particularly used in war: such are arms, military and naval stores, timber, horses, and even provisions in certain junctures, where there are hopes of reducing the enemy by famine." The treaty between France and Denmark, concluded in 1744, places tar, rosin, sails, hemp, cordage, masts, and timber for ship-building, on the catalogue for contraband: and Valin, in his Commentary on the Marine Ordinances of France (vol. ii. p. 264) says, that "of right these articles are now contraband, and have been so from the commencement of the present century." In conformity with these opinions has been that of America; and the law of nations was understood by the most approved jurists she has not erred.

But the modern public law of nations, and modern treaties are said to have established a different rule. If the modern public law of nations has changed the principle, such change is yet unknown to the United States—it is much to be wished, that more full and satisfactory information had been given in support of an opinion, a difference on which is alleged to have produced consequences so extremely calamitous.

It is averred, that the armed neutrality has constituted the modern public law. It is supposed that this cannot be averred because France will never admit the right of a confederacy whatever may be its power, to impose the law on those who are

not parties to it. It is supposed also, that this cannot be averred for another reason. The members of the armed neutrality had not themselves agreed upon the articles which should be deemed contraband. Russia, the power originating that celebrated, though short-lived compact, published in 1780 the principles on which she would maintain the commerce of her subjects: one of these was, that the articles of contraband should be regulated by the 10th and 11th articles of her treaty of commerce with Great Britain.

Afterwards, Denmark entered into a convention with Russia for maintaining generally the principles agreed upon; but on the subject of contraband in particular, Denmark adopted as the rule by which to be governed, her treaty of commerce with Great Britain, concluded the 10th of July 1670; in the third article of which, contraband goods are described to be "any provisions of war, as soldiers, arms, machines, cannon, ships, or other things of necessary use in war." But, by a convention concluded at London on the 4th of July 1780, between Great Britain and Denmark, to explain the treaty of commerce of 1670 between the two powers, "timber for ship-building, tar, rosin, copper in sheets, sails, hemp, and cordage, and generally whatever serves directly for the equipment of a vessel, unwrought iron and fir-planks excepted," are declared to be contraband.

Denmark having, in her convention with Russia, adopted her treaty with England, made in 1670, as declaratory of those articles which she would consider as contraband, and having, by her explanatory agreement with England, substituted a particular enumeration of articles for a general description of them, not as an amendment but as an explanation of the treaty of 1670, has taken a different rule, in the very compact referred to, as establishing a modern public law of nations, from that taken by Russia. The rule of Denmark classes among contraband precisely the same articles which are enumerated as such in the treaty between the United States and Britain, and which are only found in that enumeration, because it is believed that the law of nations has unquestionably so placed them. Sweden and Holland too, in acceding to the armed neutrality, adopt their own treaties as the rule by which they will be respectively guided—There was then even among the parties to this agreement no fixed law of contraband. Had the potentates of Europe designed to establish permanently and generally the principles of the armed neutrality, the war which originated that convention would not have terminated without some general agreement concerning it: the efforts of Sweden to obtain a congress for examining and terminating the different concerns both of the powers

at war and of the neutral states could not have proved entirely abortive.

No argument then can be drawn from the armed neutrality in support of the position, that the modern public law of nations relating to contraband has been abandoned by the United States. No modern public law having been formed, the rule remains unchanged; and at the present moment, as well as when the treaty with France was formed, is believed to ordain as contraband the articles enumerated as such in the treaty with Britain.

But it is alleged, that in this treaty the United States have abandoned the limits given to contraband by their treaties with all other nations, and even by those of England, with a greater part of the maritime powers.

It is true, that the United States, desirous of liberating commerce, have invariably seized every opportunity which presented itself to diminish or remove the shackles imposed on that of neutrals. In pursuance of this policy, they have on no occasion hesitated to reduce the list of contraband, as between themselves and any nation consenting to such reduction. Their pre-existing treaties have been with nations as willing as themselves to change the old rule; and consequently a stipulation to that effect, being desired by both parties, has been made without difficulty. Each contracting party is deemed to have an equivalent for the cession made, in the similar cession it receives from the party with whom it contracts. Neither requires of the other, as an additional consideration, that it shall propagate by the sword the principle which form the basis of their private agreements, and force on unwilling nations to adopt them; nor that it should decline to regulate by treaty its interests with any other nation which should refuse to accede to them: as little could either suppose that its particular contract contained any thing obligatory on others, or was capable of enlarging or diminishing their rights.

The treaties of the United States then with other nations can only establish the limits of contraband, as between the contracting parties, and must leave that subject with nations not parties to the contract, to the law which would have governed, had such particular stipulation never been made. According to the existing state of things, when the negotiations between the United States and Great Britain were opened, naval stores and timber for ship-building were, as between America and Britain, contraband of war: they would have retained this character, had the treaty never been made; they would have retained it, had the treaty contained no provision on the subject. The United States were truly desirous of excluding them from the list, but Britain was unwilling to do so. Had the United States possessed the means of coercion, their established policy, founded on the basis

ce, and their own peculiar situation, forbid a resort to means for any other purpose than the defence of their own or a compliance with their own engagements. It was in this force which would have been deemed justifiable; the object, being unattainable by mutual consent, was unrelinquished for the moment. Yet it was proper to enumerate the articles which were before contraband, and which had to be so, because that enumeration notified to the merchants of the United States the hazard which their commodities encountered on the seas; and because, also, it prevents those altercations which might otherwise have been produced by efforts of one party to swell, and of the other to reduce

the refusal of Britain to substitute any other rule of contraband, in the place of that established by the law of

France finds herself in a situation to be injured by any breach of her engagements with the United States, it is not only with Britain, but that with France, which has produced the violation. This was foreseen when that treaty was entered into, and did not prevent it. The stipulation concerning contraband was formed when France was at peace and America at war, though that state of things did not long continue, yet its continuance was by no means deemed impossible. Notwithstanding

the government of the United States has manifested a willingness to change this stipulation as well as that which remedies property in neutral bottoms, so soon as France has agreed to them: of this the letter from Mr. Randolph to the British government, already quoted, affords conclusive testimony.

It appears then, on examining this objection to the treaty between the United States and Britain, that it has not added to the list of contraband a single article; that it has ceded no privileges granted no right, and that it has not changed in the least the circumstance the pre-existing situation of the United States in relation either to France or to Britain. Notwithstanding all this, the government of the United States has hastened to its former friend that, if the stipulations between them are oppressive in practice, it is ready to offer up these stipulations as a willing sacrifice at the shrine of friendship.

Will you search in this procedure for "a known and voluntary sacrifice on the part of the United States of their consistency with this republic, and of the most essential and least important prerogatives of neutrality." In vain will you search for evidence of their "having given to England, to the detriment of their first allies, the most striking mark of an unbecoming condescension, by abandoning the limits given to contraband by the law of nations, by their treaties with all other na-

tions, and even by those of England with the greater part of the maritime powers."

The United States feel these reproaches as conscious innocence feels the imputation of guilt.

Secondly. It is also alleged, that "the United States have consented to extend the denomination of contraband even to provisions. Instead of pointing out particularly, as all treaties do the cases of the effective blockade of a place, as alone forming an exception to the freedom of this article, they have tacitly acknowledged the pretensions raised by England to create blockades in our colonies, and even in France, by the force of a bare proclamation."

The objections to this article shall be considered according to its letter, and according to its operations.

The objectionable words are—"and whereas the difficulty of agreeing on the precise cases in which alone provisions and other articles not generally contraband may be regarded as such, render it expedient to provide against the inconvenience and misunderstandings which might thence arise; it is farther agreed, that whenever any such articles so becoming contraband according to the existing laws of nations, shall, for that reason, be seized, the same shall not be confiscated; but the owners thereof shall be speedily and completely indemnified; and the captors, or, in their default, the government under whose authority they act shall pay to the masters or owners of such vessels the full value of all such articles, with a reasonable mercantile profit thereon, together with the freight and also the demurrage incident to such detention."

The admissions contained in this case are—

First, That provisions are not generally contraband; and that Secondly, They are sometimes contraband.

An effort was made to establish the precise cases in which alone they should be subject to seizure; for America would not consent to consider them as contraband in the case of an effective blockade, siege, or investment of a place; while, on the part of England, this strict interpretation of the rule was not admitted; but it was contended, that provisions became contraband when there were reasonable hopes of reducing the enemy by famine. In this opposition of sentiment, to what have the United States consented? "To extend the denomination of contraband even to provisions"—"to acknowledge tacitly the pretensions raised by England to create blockades in your colonies, and even in France by the force of a bare proclamation?"—"in a word, to have commerce only with England."—Reconsider the words themselves, and it will require no comment to prove how inapplicable to them are these assertions. The clause complained of having
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stated the admission of the difficulty already mentioned, proceeds to say—"It is further agreed, that whenever any such articles so becoming contraband according to the laws of nations, shall, for that reason, be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified."

It is too clear to admit of contestation, that this clause does not declare provisions to be contraband, or admit of their seizure in any other cases than when, "according to the existing law of nations, they should become contraband;" in such case, the right to seize them is not given by this article, but it is admitted by France, and by all the world, to exist independent of treaty. In such case, they would have been seized, had this stipulation never been entered into, and would have been confiscated also. The only alteration which is, by the letter of the clause, produced in the law of nations, is, to exempt from confiscation goods which under that law would have been subject to it.

But it has been suspected to have an object and an operation in practice different from its letter. It has been suspected to cover a design to admit substantially certain principles with respect to blockades which in theory are denied.

Incapable of duplicity, America, with the pride of conscious integrity, repels this insinuation, and courts an investigation of the facts on which it is founded.

The government of the United States and that of Britain having construed the law of nations differently in this respect, each would have acted upon its own opinion of that law; the privateers of England would have seized as contraband any goods deemed such in their courts of admiralty; and the government of the United States would have reclaimed such goods, and would have supported the demand in such a manner as its own judgment dictated. This procedure is not changed. The right to make such reclamations has not been relinquished, nor has the legality of the seizure, in any other case than that of an attempt to enter a place actually invested, been in any degree admitted.

It is true, that the British government renewed the order concerning provisions about the time of the ratification of this treaty; but it is not less true, that the government of the United States manifested a firm resolution to submit to no such construction, and remonstrated so seriously against it as to produce a revocation of the order. Nor is this all: claims for provisions seized in cases of a mere proclamation-blockade, have been actually made, and have been actually decided in favour of the claimants. The British government has acquiesced under such decisions, by paying the sums awarded. These sums were not limited to a reasonable profit on the price of the commodity seized, but were regulated

regulated by its price at the port of destination; and, consequently, the actual as well as avowed principle of such decisions was, that the goods seized had not become contraband, "according to the existing law of nations."

The intention of the government then, and the practice under the article, are in direct opposition to these injurious suspicions, the indulgence of which has produced such pernicious effects. It is even believed that the decision on this subject will be one step towards the establishment of that principle for which America has never ceased to contend. It is also believed, and has ever been believed, that the article objected to would have a necessary tendency to increase, and did, in fact, increase the quantity of provisions imported from America into France and her colonies. The American commerce, being entirely in the hands of individuals, is consequently conducted by them according to their own views of particular advantage: they will unquestionably endeavour to supply the highest market, unless restrained from doing so by other considerations which render it unadvisable to attempt such a supply. In their calculation, the risk of reducing the market is too important an item to be passed over or forgotten. Every diminution of this risk adds to the number of those who will attempt the supply; and consequently a knowledge that the voyage, should it even fail by the seizure of the vessel, would yet be profitable, must increase the number of those who would make it.

It is plain then, that this article admits the seizure of provisions in no situation where they were not before seizable; and encourages their transportation to France and her colonies, by diminishing the risk of such transportation.

It is also complained of, that this treaty has not, "as all treaties do, pointed out particularly the cases of the effective blockade of a place," as alone forming an exception to the freedom of provisions.

Articles in a treaty can only be inserted by consent. The United States therefore can never be responsible for not having inserted an article to which the other contracting party would not assent. They may refuse to make any change in the existing state of things prejudicial to themselves or to other powers; and they have refused to make any such change: but it is not in their power to insert, as by common consent, an article, though merely declaratory of a principle which they considered as certainly existing, and which they mean to support if such common consent be unattainable. All that can be done in such a case is, to leave the principle unimpaired, reserving entirely the right to assert it. This has been done: the principle was left unimpaired, and has been since successfully asserted.

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The United States are at all times truly solicitous to diminish as much as possible the list of contraband. It is their interest, in common with all other nations whose policy is peace, to enlarge, so far as they can be enlarged, the rights of neutrals. This interest is a sure guarantee for their using those means which they think calculated to effect the object, and which a just regard to their situation will permit. But they must be allowed to pursue the object in such a manner as may comport with that situation. While they surrender no actual right, in preserving which there is a common interest, while they violate no pre-existing engagements (and these they have not surrendered or violated), they must judge exclusively for themselves how far they will or ought to go in their efforts to acquire new rights or establish new principles. When they surrender this privilege, they cease to be independent, and they will no longer deserve to be free. They will have surrendered in other hands the most sacred of deposits—the right of self-government; and instead of the approbation they will merit the contempt of the world.

Those parts of the treaty between the United States and Britain, which have been selected by France as injurious to her, have now been examined. The undersigned are too well convinced that they in no degree justify the enmity they are alleged to have produced, not to rely on a candid reconsideration of them as a sure mean of removing the impressions they are supposed to have made.

Before this subject is entirely closed, one other objection will be noticed. The very formation of a commercial treaty with England seems to be reprobated, as furnishing just cause of offence to France; and Mr. Adet has permitted himself to say—“It was a little matter only to allow the English to avail themselves of the advantages of our treaty: it was necessary to assure those to them by the aid of a contract which might serve at once as a reply to the claims of France, and as peremptory motives for refusals; the true cause of which it was requisite incessantly to disguise to her under specious pretexts. Such was the object of Mr. Jay’s mission to London; such was the object of a negotiation enveloped from its origin in the shadow of mystery, and covered with the veil of dissimulation.”

Passing over this extraordinary language, the undersigned, being only desirous of producing accommodation by the exhibition of truth, will consider the opinion which is obliquely hinted, and the fact which is directly averred.

The practice of forming commercial treaties is so universal among other nations having any commercial intercourse with each other, that it seems unnecessary to discuss their utility. The right to form those treaties has been so universally asserted and admitted, that it seems to be the inseparable attribute of sovereignty
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to be questioned only by those who question the right of a nation to govern itself, and to be ceded only by those who are prepared to cede their independence.

But the prosperity of the United States is in a peculiar manner promoted by external commerce. A people almost exclusively agricultural have not within themselves a market for the full produce of their labour, or a sufficient number and variety of articles of exchange to supply the wants of the cultivators; they cannot have an internal market which will compensate for the loss of external commerce: they must search abroad for manufactures for many other articles which contribute to the comfort and convenience of life, and they must search abroad also for a market for that large portion of the productions of their soil which cannot be consumed at home. The policy of a nation thus circumstanced must ever be to encourage external commerce, and to open to itself every market for the disposition of its superfluous and the supply of its wants. The commercial and manufacturing character and capacities of England must turn into that channel a considerable portion of the commerce of any nation under the circumstances of the United States. It is a market too important and too valuable to be voluntarily closed; in consequence, a considerable portion of their commerce has taken that direction, and a continual solicitude has been manifested to regulate and secure it by contract. To abolish this commerce, or to refuse to give it permanence and security by fair and equal stipulations, would be a sacrifice which no nation ought to require, and which no nation ought to make. In forming her treaty of amity and commerce with the United States, France claimed no such prerogative. That treaty declares the intention of the parties to be, "that in an equitable and permanent manner, the rules which ought to be followed relative to the commerce and correspondence between the two parties desire to establish between their respective countries, states, and subjects;" and that "they have judged that the said end could not be better obtained than by taking for the basis of their agreement the most perfect equality and reciprocity by carefully avoiding all those burdensome preferences which are usually sources of debate, embarrassment, and discontent, leaving also each party at liberty to make, respecting commerce and navigation, those interior regulations which it shall find convenient to itself, and by founding the advantages of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving to each party the liberty of admitting at its pleasure other nations to a participation of the same advantages." This treaty itself contains no stipulation in any degree contradictory to those declarations of the preamble, or which could give rise to suspicion, that under these declarations was concealed a design to abridge the sovereignty of the United States with respect to

ties, or to control their interests in regard to commerce. In forming a commercial treaty with Britain, therefore, in which no peculiar privilege is granted, the government of the United States believed itself to be transacting a business exclusively its own, which could give umbrage to none, and which no other nation on earth would consider itself as having a right to interfere in. There existed, consequently, no motive for concealing from France, or any other power, that the negotiation of Mr. Jay might or might not terminate in a commercial treaty. The declaration therefore was not made; nor is it usual for nations about to enter into negotiations to proclaim to others the various objects to which those negotiations may possibly be directed. Such is not, nor has it ever been, the practice of France. To suppose a necessity or a duty on the part of one government thus to proclaim all its views, or to consult another with respect to its arrangement of its own affairs, is to imply a dependence to which no government ought willingly to submit. So far as the interests of France might be involved in the negotiation, the instructions given to the negotiator were promptly communicated. The minister of this republic was informed officially, that Mr. Jay was instructed not to weaken the engagements of the United States to France. Farther information was neither to have been required nor expected: indeed, that which was given furnished reason to suppose that one of the objects of the negotiation with Great Britain was a commercial treaty. Why then such unnecessary and unmerited sarcasms against a cautious and unoffending ally? Those objects which she pursued were such as an independent nation might legitimately pursue, and such as America never had dissembled, and never deemed it necessary to dissemble her wish to obtain.

Why should an effort be made to impress France with an opinion that Mr. Jay was not authorized to negotiate a commercial treaty with Britain, when the fixed opinion of America had ever been, that France could not be and ought not to be dissatisfied with the formation of such a treaty? Why should the minister of France have been informed officially that Mr. Jay was especially instructed not to weaken the engagement of the United States to France, if it was intended to convince that minister that his powers did not extend to subjects in any degree connected with those engagements? To what purpose should the government of the United States have practised a deception deemed by itself totally unnecessary, and which its utmost efforts could not long continue? It requires an equal degree of folly and vice to practise an useless fraud which must inevitably and immediately be detected, and the detection of which must expose its author to general infamy, as well as the enmity of those on whom the fraud had been practised. These considerations ought to

have produced some hesitation concerning the fact. The testimony in support of it ought to have been very positive and very unexceptionable before it received implicit faith. It should have been very clear that there was no mistake, no misunderstanding, concerning the information communicated, before the charge was made in such terms as the minister of France has been pleased to employ; but the testimony is believed to be satisfactory, that the government of the United States has not endeavoured to impress in France any opinion on this subject which the fact of the case did not warrant. The declaration of Mr. Randolph, made July 8th, 1795, is full on this point. It is in these words:

“ I never could in truth have informed the French minister, that the mission, as set forth in the President’s message to the Senate, contemplated only an adjustment of our complaints; if, by this phrase, it be intended to exclude commercial arrangements, I could have no reason for saying so, since the French republic could have had nothing to do with our commercial arrangements, if they did not derogate from her rights: it could have answered no purpose, when so short a time would develop the contrary—I never did inform the French minister as above stated.

“ The only official conversation which I recollect with Mr. Fauchet upon this subject was, when I communicated to him, with the President’s permission, that Mr. Jay was instructed not to weaken our engagements to France. Neither then, nor at any other time, in official nor unofficial conversation, did I ever say to him, that nothing of a commercial nature was contemplated or that nothing but the controversies under the old treaty and the spoliations were contemplated.

“ Mr. Fauchet some time ago said to me, that he understood from what I said, that Mr. Jay was not authorized to treat commercial matters. I told him, that he misunderstood me; no letter had ever passed upon this subject.”

If then Mr. Randolph did give Mr. Fauchet the information contended for, it is plain that he never was authorized to do so; but the considerations already detailed render it infinitely more probable that Mr. Fauchet has misunderstood Mr. Randolph than that Mr. Randolph has misinformed Mr. Fauchet.

The undersigned have taken, they trust, a correct view of the leading and influential measures adopted by the government of the United States: they have endeavoured to state, with plainness and with candour, the motives which have occasioned the adoption of those measures and the operation they are believed to have. They have shown that if America is to be reproached with partialities, irreconcilable with her neutral situation, it not by France that those reproaches ought to be made. They have been induced to take this review by a hope which they cannot relinquish without regret, that it may contribute to efface in

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pressions which misrepresentation may have made, and to take from the intention and conduct of the government they represent that false colouring which unfriendly pencils have so profusely bestowed upon them. They are anxious still to cherish a hope, that, by exposing frankly and sincerely the sentiments which have hitherto guided their nation, they may restore dispositions on the part of France compatible with the continuance of those sentiments.

Complaints have been made, that in the application in particular cases of those general principles which the neutral station of the United States rendered indispensable, inconveniencies and vexations which were unavoidable have been sometimes sustained. These complaints have been separately and fully discussed.

The undersigned persuade themselves that the explanations which have been given respecting them, if not entirely satisfactory, have yet been such as to prove the good faith and upright intention which never ceased to direct the conduct of the United States.

If, notwithstanding this good faith and the purity of these intentions, the difficulty of their situation has in any case produced even an involuntary departure from those principles by which they professed to be guided, they are ready to consider that case, and to repair any fault which may inadvertently have been committed. With these dispositions on their part, with this consciousness of having never ceased to merit the friendship and esteem of the French nation, with a conviction that a temperate and thorough view of the past cannot fail to remove prejudices not warranted by facts, the United States have relied confidently on the justice of France for a discontinuance and reparation of those serious and heavy injuries which have been accumulated on them.

Desirous of establishing, not the dependence of a weak on a powerful nation, but that real and cordial friendship, the willing and spontaneous offering of generous minds, which can only be lasting when evidenced to be mutual, and can only be preserved when bottomed on reciprocal justice, the undersigned will now represent with candour and frankness the well-founded complaints with which they are charged.

These complaints consist—

Of claims uncontroverted by the government of France, but which remain unsatisfied; and

Of claims founded on captures and confiscations, the illegality of which has not yet been admitted.

In the first class are arranged—

Firstly, Those whose property has been seized under the decree of the National Convention of the 9th May 1793.

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Secondly,

Secondly, Those who are entitled to compensation in consequence of the long detention of their vessels at Bourdeaux in the years 1793 and 1794.

Thirdly, The holders of bills and other evidences of debts due, drawn by the colonial administrations in the West Indies.

Fourthly, Those whose cargoes have been appropriated to public use without receiving therefor adequate payment; and,

Fifthly, Those who have supplied the government under contracts with its agents, which have not yet been complied with on the part of France.

These well-founded claims of American citizens, thus originating in voluntary and important supplies, in the forcible seizure of valuable property, accompanied with promises of payment, and in injurious detentions, constitute a mass of debt which the justice and good faith of the French government cannot refuse to provide for, and which is too considerable to be unnoticed by that of the United States. The undersigned are instructed to solicit your attention to this subject, and they would persuade themselves that they do not solicit in vain. So many circumstances concur to give force to the application, that they leave it to your government, in the confidence that no additional representations can be necessary.

They pass to complaints still more important for their amount, more interesting in their nature, and more serious in their consequences.

On the 14th Messidor, 4th year of the French republic, one and indivisible (July 2d, 1796), the Executive Directory decreed, "That all neutral or allied powers shall without delay be notified that the flag of the French republic will treat neutral vessels, either as to confiscation, as to searches or capture, in the same manner as they shall suffer the English to treat them." This decree, in any point of view in which it can be considered, could not fail to excite in the United States the most serious attention. It dispenses at once, as they conceive, with the most solemn obligations which compact can create, and consequently asserts a right on the part of France to recede at her discretion from any stipulations she may have entered into. It has been demonstrated that governments may by contract change, as between themselves, the rules established by the law of nations, and that such contract becomes completely obligatory on the parties, though it can in no manner affect the rights of others: yet by this decree allies with whom such stipulations exist are to be treated, without regard to such stipulations, in the same manner as they are treated by others, who are bound by a different rule. This, as it respects the United States, is the more unfriendly, because a readiness has been manifested on their part so to modify by consent their treaty with France, as to re-instate the rules established by the law of nations.

The general terms too in which this decree is conceived, threatened but too certainly the mischiefs it has generated, and the abuses which have been practised under it. Neutrals are to be treated as they shall permit the English to treat them. No rule extracted from the practice of England is laid down, which might govern the cruisers of France, or instruct the vessels of neutrals. No principles are stated manifesting the opinion entertained of the treatment received from England, which might enable a neutral to controvert that opinion, and to show that the English were not permitted to treat its flag as was supposed by the government of France. To judge from the decree itself, from any information given concerning it, or from the practice under it, those who were to be benefited by its abuse were to decide in what manner it should be executed; and the cruiser who should fall in with a valuable vessel had only to consult his own rapacity, in order to determine whether an English privateer, meeting a vessel under similar circumstances, would capture and bring her into port. Multiplied excesses, and accumulated vexations, could not but have been apprehended from such a decree; and the fact has realized every fear that was entertained concerning it. It has been construed even in Europe to authorize the capture and condemnation of American vessels for the single circumstance of their being destined for a British port. At no period of the war has Britain undertaken to exercise such a power. At no period of the war has she asserted such a right. It is a power which prostrates every principle of national sovereignty, and to which no nation can submit, without relinquishing at the same time its best interests, and sacrificing its dearest rights. The power has been exercised by France on the rich and unprotected commerce of an ally, on the presumption that that ally was sustaining the same injuries from Britain, at a time when it is believed that the depredations of that nation had ceased, and the principle of compensating for them had been recognised.

In the West Indies similar depredations have been experienced. On the 1st of August 1796, the special agents of the Executive Directory to the Windward Islands decreed, that all vessels loaded with contraband should be seized and confiscated for the benefit of the captors.

On the 7th Frimaire, 5th year of the French republic, one and indivisible (27th November 1796), the commission delegated by the French republic to the Leeward Islands resolved that the captains of French national vessels and privateers are authorized to stop and bring into the ports of the colony American vessels bound to English ports, or coming from the said ports.

On the 19th Pluviose, 5th year of the French republic, one and indivisible (February 1st, 1797), Victor Hugues and Lebas, the special agents of the Executive Directory to the Windward

ward Islands, passed a decree, subjecting to capture and confiscation neutral vessels destined for the Windward and Leeward Islands of America delivered up to the English, and occupied and defended by the emigrants. These ports are said to be Martinico, St. Lucie, Tobago, Demerara, Berbice, Essequibo, Port-au-Prince, St. Mark's, l'Archaye, and Jeremie. The decree also subjects to capture all vessels which have cleared out for the West Indies generally.

The undersigned will not detain you, Citizen Minister, for the purpose of proving how directly and openly these decrees violate both the law of nations and the treaty between France and the United States.

They have been executed on the officers and crews of the captured vessels in a manner by no means calculated to mitigate their rigour.

The decree of the 14th of Messidor was soon followed by another which has spared but little of the American commerce, except what has fortunately escaped the pursuit of the cruisers of France. On the 12th Ventose, 5th year (2d March 1797), the Executive Directory, considering the treaty of amity, commerce, and navigation, concluded at London the 19th November 1794, between the said United States and England, as containing concessions of privilege to Britain, which, under the treaty of February 1778, might be enjoyed by this republic also, proceeds to modify the treaty between France and the United States, by declaring enemies goods in American bottoms liable to capture and confiscation, by enlarging the list of contraband, and by subjecting to punishment as a pirate any American citizen holding a commission given by the enemies of France, as well as every seaman of that nation, making a part of the crew of enemies ships. The decree next proceeds to exact from American ships, papers which had been made necessary to establish the neutrality of foreign vessels generally by the ordinance of the 26th of July 1778, but which had never been considered as applying to the United States, which required papers their vessels could not be supposed to possess, and which the treaty between the two nations was supposed to have rendered unnecessary.

The basis taken by the Executive Directory, on which to render their modification of the treaty of the 6th of February 1778, that by the treaty of the 19th of November 1794, particular favours in respect of commerce and navigation have been granted England.

It has been demonstrated that no particular favours in respect of commerce or navigation have been granted to England. The treaty has been shown only to recognise, regulate, and moderate the exercise of the rights before possessed, and before openly acknowledged to be possessed—rights which France and America

reciprocally ceded to each other, without requiring, as a condition of the cession, that either should compel England to form a similar stipulation.

But to admit for a moment that the treaty with England might be considered as stipulating favours not before possessed, yet the American government did not so understand that treaty, and had manifested a disposition to modify, by common consent, its relations with this republic, in such a manner as to reinstate a rule which has been voluntarily changed. It cannot but be sincerely regretted, because it seemed to indicate an unfriendly temper, that France has deemed it more eligible to establish by force, in opposition to her treaty, a principle which she deemed convenient, than to fix that principle on the fair basis of mutual and amicable agreement.

But the clause under which these modifications are justified is in these words: "The Most Christian King and the United States engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional." If these stipulations unequivocally amounted to the grant of favours, still the grant is not gratuitous. The concessions on the part of the United States are made on condition of similar concessions on the part of Britain. If, therefore, France chooses to consider them as modifications of the treaty of 1778, she can only do it by granting the reciprocal condition; on this supposition she has either of the rules at her election, but she cannot vary from the first without the compact on her part to grant the reciprocal stipulation. Such a compact is in the nature of a national treaty.

But the rules laid down in the decree of the 12th Ventose, 5th year (March 2d, 1797), as founded on the 17th, 18th, and 21st articles of the treaty of the 19th of November 1794, are materially variant from those articles. To demonstrate this it is only necessary to contrast the rules of the decree with the articles of the treaty on which those rules are said to be founded.

Articles of the Treaty of the 19th November 1794, as quoted by the Directory.

Art. 17. "It is agreed that in all cases where vessels shall be captured or detained on just suspicion of having on board enemies property, or of carrying to the enemy any of the articles which are contraband of war, the said vessels shall be brought to the nearest or most convenient port; and if any property of an enemy should be found on board such vessel, that part only which belongs to the enemy shall be made prize, and the vessel shall be at liberty to proceed

proceed with the remainder without any impediment. And it is agreed that all proper measures shall be taken to prevent delay in deciding the cases of ships or cargoes so brought for adjudication; and in the payment or recovery of any indemnification adjudged or agreed to be paid to the owners or masters of such ships."

Rules established by the Arrêt of the Directory.

Rule 1. "According to the seventeenth article of the treaty of London, of the 19th of November 1794, all merchandise of the enemy, or merchandise not sufficiently proved to be neutral, laden under the American flag, shall be confiscated, but the vessel on board of which it shall be found, shall be released and restored to the owner. It is enjoined on the commissaries of the Executive Directory to accelerate by all the means in their power the decision of contests which shall arise either on the validity of the prize-cargo, or on the freight and demurrage."

According to the article, when on just suspicion of having on board enemies property, or of carrying to the enemy contraband of war, a vessel shall be brought into port, that part only which belongs to the enemy shall be made prize, according to the article: then the fact, whether the property does or does not belong to an enemy is to be fairly tried. The party who would establish the fact must prove it. The captor must show the justice of the suspicion on which the capture or detention was founded. The burden of the proof rests on him. If in truth and in fact the property does not belong to an enemy, or is not proved to belong to an enemy, it must be discharged. But the rule pursues a different course. The rule declares that merchandise of the enemy, or not sufficiently proved to be neutral, laden under the American flag, shall be confiscated. The burden of the proof is shifted from the captor to the captured. The question to be tried is not solely, whether the merchandise be in fact the property of an enemy, but also whether it be sufficiently proved to be neutral. The sufficiency of this proof is to be ascertained, not by general and satisfactory testimony, not by the great principle of truth and the common understanding of mankind, but by the exhibition of certain papers demandable at the will of one of the parties, and in the possession of the other. This may be a regulation which France chooses to establish; but certainly it is a regulation essentially variant from the article it professes to resemble.

Art. 18. "In order to regulate what is in future to be esteemed contraband of war, it is agreed that under the said denomination shall be comprised all arms and implements serving for the purposes of war, by land or by sea; as cannon, muskets, mortars, petards, bombs, grenades, carcasses, saucisses, carriages for cannon, musket rests, bandoliers, gunpowder, match, saltpetre, ball, pikes,

ikes, swords, head-pieces, cuirasses, halberts, lances, javelins, horse furniture, holsters, belts, and generally all other implements of war; as also timber for ship-building, tar, or rosin, copper n sheets, sails, hemp, and cordage, and generally whatever may serve directly to the equipment of vessels, unwrought iron and fir-plank only excepted."

Rule 2. "According to the eighteenth article of the treaty of London, of the 19th of November 1794, to the articles declared contraband by the twenty-fourth article of the treaty of the 6th of February 1778, are added the following articles:

"Timber for ship-building, pitch, tar, and rosin, copper in sheets, sails, hemp, and cordage, and every thing which serves directly or indirectly for the armament and equipment of vessels, unwrought iron and fir planks excepted. These several articles shall be confiscated whenever they shall be destined or attempted to be carried to the enemy."

The immense number of articles, which may serve indirectly for the armament and equipment of vessels, are made contraband by the rule of the Directory, though they are not so by the article it professes to cite.

Art. 21. "It is likewise agreed that the subjects and citizens of the two nations shall not do any acts of hostility or violence against each other, nor accept commissions or instructions so to act from any foreign prince or state enemies to the party; nor shall the enemies of one of the parties be permitted to invite or endeavour to enlist in their military service any of the subjects or citizens of the other party; and the laws against all such offences and aggressions shall be punctually executed. And if any subject or citizen of the said parties respectively shall accept any foreign commission or letters of marque for arming any vessel to act as a privateer against the other party, it is hereby declared to be lawful for the said party to treat and punish the said subject or citizen having such commission or letters of marque as a pirate."

Rule 3. "According to the twenty-first article of the treaty of London, of the 19th of November 1794, every individual known to be an American, who shall hold a commission given by the enemies of France, as well as every seaman of that nation, making a part of the crew of enemies ships, shall by that act be declared a pirate, and treated as such, without being allowed in any case to allege that he was forced to do it by violence, menaces, or otherwise."

The government of the United States has never formed a treaty comprehending an article in any degree similar to this rule. It has never assented to such stipulations as they relate to its own citizens, or required them as they relate to those of other powers. The difference between the article and the rule requires no comment. Nor will the rule be commented on. The undersigned will only

observe, that the article is by no means uncommon, but is to be found in most treaties of amity and commerce. The twenty-first article of the treaty with France, the nineteenth of the treaty with the United Provinces, the twenty-third of the treaty with Sweden, and the twentieth article of the treaty with Prussia, contain similar stipulations. It is not easy to conceive a reason why it should not also be inserted in a treaty with England, or why its insertion should give offence to France.

But the rule of the decree is in its operation the most extensive and the most seriously destructive. That rule declares, that, "Conformably to the law of the 14th of February 1793, the regulations of the 21st of October 1744, and of the 26th of July 1778, concerning the manner of proving the property of neutral ships and merchandise, shall be executed according to their form and tenour.

"Every American ship shall therefore be a good prize, which shall not have on board a list of the crew in proper form, such as is prescribed by the model annexed to the treaty of the 6th of February 1778, the observance of which is required by the twenty-fifth and twenty-seventh articles of the same treaty."

This rule requires that American ships and merchandise, in order to prove the property to be American, shall exhibit certain papers, and especially a role d'equipage, which are required of neutrals generally by the particular marine ordinances of France, recited in the decrees of the Directory. But France and America have entered into a solemn treaty, one object of which was to secure the vessels of either party which might be at peace, from the cruisers of the other which might be engaged in war. To effect this object the contracting parties have not referred each other to the particular statutes or ordinances of either government, but have enumerated the papers which should be deemed sufficient. They have done more: they have prescribed the very form of the passport which should establish the neutrality of the vessel, and prevent her being diverted from her course. The twenty-fifth and twenty-seventh articles of the treaty between the two nations, which are quoted by the Directory, and are considered by the undersigned as conclusive on this subject, are in these words:

Art. 25. "To the end that all manner of dissensions and quarrels may be avoided and prevented on the one side and on the other, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or people of each severally must be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the said ship really and truly belongs to the subjects of one of the parties; which passport shall be made out and granted according to the form

form annexed to this treaty ; and they shall likewise be recalled every year, that is, if the ship happens to return home in the space of a year. It is likewise agreed that such ships, being laden, are to be provided not only with passports, as above mentioned, but also with certificates containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound, that so it may be known whether any forbidden or contraband goods be on board the same ; which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed form ; and if any one shall think it fit or advisable to express in the said certificates the person to whom the goods on board belong, he may freely do so."

Art. 27. " If the ships of the said subjects, people or inhabitants of either of the parties, shall be met with either sailing along the coasts, or on the high seas, by any ship of war of the other, or by any privateers, the said ships of war or privateers, for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats aboard the merchant ship, which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport, concerning the property of the ship, made out according to the form inserted in this present treaty ; and the ship, when she shall have showed such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, or to give her chase, or force her to quit her intended course."

It will be admitted that the two nations possess the power of agreeing that any paper, in any form, shall be the sole document demandable by either from the other, to prove the property of a vessel or cargo. It will also be admitted, that an agreement so made becomes the law of the parties, which must retain its obligation.

Examine then the words of the compact, and determine by fair construction what will satisfy them.

The twenty-fifth article states substantially the contents of a paper, which is termed a sea-letter or passport, and which " it is agreed that in case either of the parties should be engaged in war, the ships and vessels belonging to the subjects or people of the other ally must be furnished with." To what purpose are they to be furnished with this sea-letter or passport ? The article answers, " To the end that all manner of dissensions and quarrels may be avoided and prevented, on the one side and the other." " That it may appear thereby that the ship really and truly belongs to the subjects of one of the parties."

But how will the passport " prevent and avoid all sorts of dissensions and quarrels on one side or the other," if ordinances, both prior and subsequent to the treaty, are to be understood as con-

trolling it, and as requiring other papers not contemplated in the public agreement of the two nations? How is it to appear from the passport, that the ship really and truly belongs to the subjects of one of the parties, if it is denied that the passport is evidence of that fact, and contended that other papers, not alluded to in the treaty, shall be adduced to prove it?

But the 27th article is still more explicit. It declares that when a merchant ship of one of the parties shall be visited by the ships of war or privateers of the other, "the commander of such ship or vessel shall exhibit his passport concerning the property of the ship, made out according to the form inserted in the present treaty; and the ship, when she shall have showed such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, or to give chase, or force her to quit her intended course." What is it that shall prove the property of the vessel? The treaty answers, The passport. But the decree of the Directory requires in addition certain other papers, perfectly distinct from the passport. The treaty declares, that "the ship, when she shall have showed (not the *role d'équipage* or any other paper required by the particular ordonnances of either nation," but) "such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, or to give her chase, or force her to quit her intended course." Yet the vessels of America, after exhibiting "such passport," are not "free and at liberty to pursue their voyage;" they are "molested;" they are "chased;" they are "forced to quit their intended course;" they are "captured and confiscated as hostile property."

It is alleged that the form of the passport, which is annexed to the treaty, manifests that certain acts were to be performed by the person to whom the passport is delivered, and that such person ought to prove the performance of those acts.

But the treaty, far from requiring such proof, absolutely dispenses with it. The treaty declares that the passport shall itself evidence the property of the vessel, and secure it from molestation of any sort. By consent of the parties then the passport is evidence of all that either party can require from the other. Neither the right to give such consent, nor the obligation of a compact formed upon it, can, as is conceived, ever be denied, nor can the form of the passport, whatever it may be, change the compact.

But let the words of the model be examined. They are, "*A tous ceux qui ces présentes verront : Soit notoire que faculté et permission a été accordée à* *maitre ou commandant du navire appelé* *de la ville de* *de la capacité de* *son* *neaux ou environ, se trouvant présentement le port de* *qu'après que son navire a été visité et avant son départ, il prêterà ser-*

ment entre les mains des officiers de la marine, que le dit navire appartient à un ou plusieurs sujets de dont l'acte sera mis à la fin des présentes; de même qu'il gardera les ordonnances et reglement maritimes, et remettra une liste signée et confirmée par témoins, contenant les noms et surnoms, les lieux de naissance, et la demeure des personnes composant l'équipage de son navire, et de tous ceux qui embarqueront, lesquels s'il ne recevra pas à bord sans connoissance et permission des officiers de marine; et dans chaque port ou havre il montrera la présente permission aux officiers et juges de marine."

It is material to observe, that the model requires the oath concerning the property of the vessel to be annexed to the passport, but does not require any other certificate, or the annexation of any paper whatever. Why this difference? It is a solemn proof of that for which the article stipulates, and therefore the model expresses that the evidence of this fact shall be annexed; but it does not require the production of the evidence of any other fact.

It seems then to be demonstrated that the sea-letter or passport, a model of which is annexed to the treaty, is by solemn agreement to be received by each party as conclusive testimony, that the vessel producing such passport is the property of a citizen of the other, and is consequently to continue her voyage without molestation or hindrance.

But let it be supposed that the treaty on this subject was less conclusive, and that its stipulations had been ambiguously expressed; yet it is certain that it has been uniformly understood by both parties as the undersigned have expounded it; and that neither France nor the United States, previous to the decree complained of, considered the vessels of either nation, producing the passport agreed on, as liable to capture for want of a *role d'équipage*.

For more than four years after her treaty with the United States, France was engaged in a war with Britain; and in the course of that time it was never suggested that a *role d'équipage* was necessary for the protection of an American vessel. It does not weaken the argument, that the United States were also parties to the war. The principle assumed is, that, without the production of the papers required by the decree, the vessel does not appear to be, and cannot be considered as American property. If this principle be correct, it would not cease to apply because the United States were engaged in the war. Was America even engaged in the war on the part of France, a British vessel carrying American colours would not be secured by the flag she bore. It would be necessary to prove by her papers, or other and admissible testimony, that the vessel was American property. If this fact cannot appear without a *role d'équipage* while the United States are at peace, neither could it appear without the same evidence if the United States were parties in the war.

About

About four years of the present war had also elapsed before this construction of the treaty, at the same time so wonderful and so ruinous, had disclosed itself. In the course of that time the ports of France were filled with the vessels of the United States. Very many of them sailed under contracts made for the government itself by its minister in Philadelphia. No one of them possessed a *role d'équipage*; no one of them was considered on that account as being liable to condemnation. Indeed, in some instances, vessels have been captured and discharged although that paper was not among those belonging to the ship.

Such a long course of practice appears to have evidenced unequivocally the sense of France on this subject.

It is too apparent to be questioned for a moment, that on the part of the United States no suspicion had ever been entertained that such a paper could have been required. A *role d'équipage* could have been obtained with as much facility as that passport for which the treaty stipulates. Could it have been imagined that American vessels incurred the possible hazard of being retarded only one day in a voyage for want of such paper, it would in every instance have been supplied. No vessel would have sailed without it.

Your own mind, Citizen Minister, will suggest to you, with irresistible force, the extreme hardship of thus putting a new construction on a long-existing contract, or of giving a new and unexpected extension to ancient municipal regulations, and of condemning thereby vessels taken on the high seas for want of a paper not known to be required when they sailed out of port. If a *role d'équipage* was really considered by France as necessary evidence of any fact, the establishment of which was deemed essential, common usage and those plain principles of justice which all nations should respect, indispensably require that the regulation should be first made known to a neutral and friendly nation by other means than by the capture and confiscation of its property. If this measure had been announced to the government of the United States before it had been put in practice, and American vessels had sailed without a *role d'équipage*, they would have taken upon themselves the hazard of such a procedure. But in a moment when the ocean is covered with peaceful merchantmen, pursuing a just and lawful commerce, to bring into sudden operation a measure which had never before been applied to them, which had for so many years slept unheard of, and by the force of this regulation, to confiscate unguarded property which had been trusted to the seas under the faith of solemn and existing treaties, and without a conjecture that this, more than any other formula, would have been required, is to impose on unoffending individuals a ruin from which no wise precautions, no human foresight, could possibly have protected them.

On

On this subject then the undersigned appeal with confidence to the justice and equity of the French government.

But could it be conceded for a moment that the Executive Directory might rightfully modify the treaty of France with the United States, by that of the United States with Britain; and might rightfully require a *role d'equipage* in order to establish the neutrality of a vessel, for want of which the vessel might be confiscated, yet the cargo being proved to be neutral ought to be safe.

According to the law of nations, the goods of an enemy found on board the ship of a friend are liable to capture, and the goods of a friend found on board the ship of an enemy are safe. The United States and France have consented to change this rule as between themselves. They have agreed, that the goods of an enemy found on board the vessels of either party shall be safe, and that the goods of either found on board the vessel of an enemy shall be liable to capture. The one part of this rule is in consequence of, and dependent on the other. The one part cannot on any principle of justice be abandoned while the other is maintained.

In their treaty with England the United States retain unchanged the principle of the law of nations. If France modifies her treaty in this respect by that of England, she ought to take the principle entire. If, in conformity to the treaty between the United States and England, France claims the right of taking enemies property found on board an American ship, then, in conformity with their treaty also, France ought to spare American property found on board an enemy's ship. If, therefore, his extraordinary position could be maintained, that an American ship without a *role d'equipage* becomes the ship of an enemy, still the cargo being proved to be the property of a friend, ought, on the principle of modifying the treaty between the two nations by that with England, to have been restored to the owners.

The result of these regulations has been the most extensive and universal devastation of the American commerce. Not only vessels bound to and from the enemies of France, but vessels bound to and from her allies, and to and from her own ports, have been seized and confiscated.

The inevitable consequence has been, that direct commerce between the two nations is almost annihilated, and that the property of American citizens has been taken to a much larger amount than would have been possible in a state of actual war.

Yet the government of the United States, wishing, if it be possible, to avoid even defensive measures, has sought assiduously and unremittingly, though hitherto without success, for such successful and amicable explanations as might do away existing animosities,

animosities, and restore between the two republics that which it so truly desires.

America has accustomed herself to perceive in France ally and the friend. Consulting the feelings of her own she has believed that between republics an elevated and friendship could exist, and that free nations were capable of maintaining for each other a real and permanent affection. This pleasing theory, erected with so much care, and viewed with so much delight, has been impaired by experience, yet she continues to be cherished that this circumstance does not finally involve the opposite extreme. It is believed that there exists no sufficient cause for solid and permanent enmity between France and the United States; but that, on the contrary, the interests of both would be promoted by that friendly intercourse which a reciprocal observance of the great and immutable principles of justice would certainly establish, and can alone maintain. Under this impression America resists the opinion, that the present state of things has grown out of a digested system to which she designs to adhere. She wishes and she endeavours to remove from herself that temporary cause, which too often produces confusion and just policy must reprobate, connected with a dereliction of the conduct of her government, as well as the motives on which it has acted, may have occasioned the serious aggressions of which she complains. She recedes before, even under the pressure of these aggressions, slowly and with difficulty from the attachments she has formed. So intimate with every ligament of her heart have been the cords of friendship which bound her to France, that only repeated and violent acts of hostility can tear them asunder.

The government of the United States, therefore, still pursues the means of terminating peaceably, and in a manner which ought to be mutually satisfactory, the calamities of the present and of averting the still greater calamities which may befall her for the future. Not even the discouraging and unsuccess which had preceded the present effort to negotiate, could deter that government from repeating its endeavours for the promotion of amity and peace. Three citizens of the United States have been deputed as envoys extraordinary and ministers plenipotentiary to the French republic. Their instructions authorize them to review the existing treaties between the two nations, and to remove, by all proper means, the inequalities which have grown out of the stipulations of those treaties, in consequence of the refusal of England to adopt the principles therein contained. They are also directed to give fair and complete explanations of the conduct of the government they represent; fully and truly the heavy injuries which their fellow-citizens

sustained ; and to ask from the equity of a great and magnanimous republic, that compensation for those injuries which we flatter ourselves their justice will not refuse, and their liberal policy will not hesitate to give.

Bringing with them the temper of their government and country, searching only for the means of effecting the objects of their mission, they have permitted no personal considerations to influence their conduct, but have waited under circumstances beyond measure embarrassing and unpleasant, with that respect which the American government has so uniformly paid to that of France, for permission to lay before you, Citizen Minister, those important communications with which they have been charged.

Perceiving no probability of being allowed to enter in the usual forms, on those discussions which might tend to restore harmony between the two republics, they have deemed it most advisable, even under the circumstances of informality which attend the measure, to address to your government, through you, this candid review of the conduct, and this true representation of the sentiments and wishes, of the government of the United States. They pray that it may be received in the temper with which it is written, and considered as an additional effort, growing out of a disposition common to the government and people of America, to cultivate and restore, if it be possible, harmony between the two republics. If, Citizen Minister, there remains a hope that these desirable objects can be effected by any means which the United States have authorized, the undersigned will still respectfully attend the development of those means.

If, on the contrary, no such hope remains, they have only to pray that their return to their own country may be facilitated, and they will leave France with the most deep-felt regret, that neither the real and sincere friendship which the government of the United States has so uniformly and unequivocally displayed for this great republic, nor its continued efforts to demonstrate the purity of its conduct and intentions, can protect its citizens, or preserve them from the calamities which they have sought by a just and upright conduct to avert.

The undersigned pray you, Citizen Minister, to accept the assurances of their perfect respect and consideration.

*Paris, January 17th, 1798, in the 22d
Year of American Independence.*

*Translated Extract from the Bulletin des Lois, No. 178, p.
Paris, and enclosed with the Quadruplicate of the Envoys
No. VI.*

Law relative to Vessels laden with English Merchandise
29th Nivose, 6th Year (18th Jan. 1796).

THE Council of Ancients adopting the reasons for the
ration of urgency, which precede the resolution hereinaft
tained, approves the act of urgency.

[Here follows the tenour of the declaration of urgency, an
resolution of the 22d Nivose (11th Jan. 1798).]

The Council of Five Hundred, after having heard the
of a special committee upon the message of the Executive
tory of the 15th Nivose (4th January) relative to Engli
chandise ;

Considering that the interest of the republic demands
prompt measures against all vessels which may be loaded th
declares that there is urgency.

The Council, after having declared the urgency, rel
follows :

Art. 1. The character of vessels relative to their qu
neuter or enemy, shall be determined by their cargo ; in
quence, every vessel found at sea, loaded in whole or in p
merchandise the production of England or of her possession
be declared good prize, whoever the owner of these goods
chandise may be.

Art. 2. Every foreign vessel which in the course of her
shall have entered into an English port, shall not be admi
a port of the French republic, except in case of nece
which case she shall be bound to depart from the said port a
the causes of her entry shall have ceased.

Art. 3. The present resolution shall be printed.

(Signed) BOULAY (of la Meurthe), P
GUILLEMARDET, } Secretar
ROEMERS,

After a second reading, the Council of Ancients app
above resolution. The 29th of Nivose, sixth year of the
republic (18th Jan. 1798).

(Signed) MARRAGON, President.
ET. LAVEUX KAUFFMAN, } Sec
MENUAU,
MERIC,

The Executive Directory orders, that the above law
printed, executed, and that it shall be sealed with the sea
republic.

Done at the National Palace of the Executive Directory, the 29th Nivose, sixth year of the French republic, one and indivisible (11th Jan. 1798).

For a true copy. (Signed) P. BARRAS, President.

By the Executive Directory,

The Secretary-general, LAGARDE.

And sealed with the seal of the republic.

Message of the President to Congress, on the 5th June 1798.

Gentlemen of the Senate, and Gentlemen of the House of Representatives,

I NOW transmit to both Houses the communications from our envoys at Paris, received since the last, which have been presented by me to Congress.

United States, 5th June 1798.

JOHN ADAMS.

Dear Sir,

Paris, March 9th, 1798.

AGREEABLY to what we represented to you in our No. VI. we prepared a letter to the minister of foreign affairs, on the subject of the late law, authorizing the capture of neutral vessels, on board of which any productions of Great Britain, or its possessions, should be laden, showing how incompatible such law was with the rights of neutral nations, and the treaty between France and America, its direct tendency to destroy the remaining commerce of our country, and the particular hardships to which it would subject the agricultural as well as commercial interests of our countrymen, from the peculiar situation of the United States. We added, that under existing circumstances we could no longer resist the conviction that the demands of France rendered it entirely impracticable to effect the objects of our mission, and that not being permanent ministers, but envoys extraordinary, with full powers for particular purposes, we deemed it improper to remain longer in France after the impossibility of effecting those purposes had been demonstrated. Before however we took this measure, and explicitly demanded our passports, we deemed it expedient to desire Major Rutledge to call on M. Talleyrand, on the 19th ult. to know if he had any communication to make to us in consequence of our letter dated the 17th, and delivered the 31st of January. To this M. Talleyrand replied, that he had no answer to make, as the Directory had not taken any order on the subject, and, when they did, he would inform us of it. Still being anxious to hear explicitly from M. Talleyrand himself, before we sent our final letter, whether there were no means within our power of accommodating our differences with France on just and

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reasonable

reasonable grounds, we wrote to him on the 27th of February, soliciting a personal interview on the subject of our mission; he appointed the 2d of March following. You will find in the exhibit A, herewith enclosed, what passed on that occasion. On the 4th instant we requested another interview: we have detailed in the latter part of the same exhibit, for your information, the substance of that conversation.

From these accounts you may observe, that the views of France, with regard to us, are not essentially changed since our communications with its unofficial agents in October last.

We have the honour to be, with great respect,

Your most obedient humble servants,

CHARLES COTESWORTH PINCKNEY:

J. MARSHALL.

E. GERRY.

Colonel Pickering, Secretary of the United States.

(A.)

March the 2d.

AT three o'clock we waited on M. Talleyrand, and were almost immediately introduced to him. General Pinckney commenced the conversation, by saying, that our government and ourselves were extremely anxious to remove the subsisting differences between the two republics; that we had received many propositions through M. Y. to which we had found it impracticable to accede; and that we had now waited on him for the purpose of inquiring whether other means might not be devised which would effect so desirable an object: the minister replied, that without doubt the Directory wished very sincerely, on our arrival, to see a solid friendship established between France and the United States, and had manifested this disposition, by the readiness with which orders for our passports were given: that the Directory had been extremely wounded by the last speech of General Washington made to Congress, when about to quit the office of President of the United States; and by the first and last speech of Mr. Adams: that explanations of these speeches were expected and required of us. General Pinckney expressed his surprise that the speech of General Washington was complained of, and said this was a new complaint. M. Talleyrand merely observed, that the Directory was wounded at it, and proceeded. He said that the original favourable disposition of the Directory had been a good deal altered by the coldness and distance which we had observed; that instead of seeing him often, and endeavouring to remove the obstacles to a mutual approach, we had not once waited on him: General Pinckney observed, that when we delivered him our letters of credence, he informed us that the Directory in a few days would decide concerning us, and that when the decision was made,

he would communicate it to us : that this had for some time suspended any procedure on our part. He answered, that this related only to our public character, and not to private visits. General Pinckney said, that on an application made by his secretary for a passport for an American under his care, he was told that he must apply to the office of police, for that America had no minister in France since the recall of Mr. Monroe. The minister said, that was very true ; and then proceeded to say, that the Directory felt itself wounded by the different speeches of Mr. Washington and Mr. Adams, which he had stated, and would require some proof, on the part of the United States, of a friendly disposition, previous to a treaty with us. He then said that he ought to search for and propose some means which might furnish this proof ; that if we were disposed to furnish it, there could be no difficulty in finding it ; and he alluded very intelligibly to a loan. He said he had several conferences with Mr. Gerry on this subject, who had always answered that we had no power. Mr. Gerry said he had stated other objections ; that he had particularly urged that it would involve us in a war with Great Britain. He made no reply : and General Pinckney observed, that a loan had been suggested to us ; but that we had uniformly answered, that it exceeded our powers.

M. Talleyrand replied, that persons at such a distance as we were from our government, and possessed as we were of the public confidence, must often use their discretion, and exceed their powers for the public good : that there was a material difference between acting where instructions were silent, and doing what was particularly forbidden : that if indeed a loan was positively forbidden, we might consider ourselves as incapable of making one ; but if, as he supposed was the case (he looked the question), our instructions were only silent, that it must be referred to us to act in a case not provided for, according to the best of our judgment, for the public good ; that in almost all the treaties made during the revolution, the negotiators had exceeded their powers, although the government appointing them was at no considerable distance. He particularized the treaty with Prussia, and several others. General Pinckney told him that our powers did not extend to a loan, and perhaps might forbid it. The minister still urged the difference between an express prohibition and mere silence. He then proceeded to state, that the principal objection on the part of our government to a loan must be, that it would draw us out of the neutral situation in which we wished to continue : that there were various means, thus ; first, the secrecy of France, which might be relied on ; and secondly, means of disguising the loan might be devised, which would effectually prevent its being considered as an aid during the present war : that if we were truly and sincerely desirous of effecting the thing, we should experience no difficulty in finding the means. He
again

again stated a proposition of this sort on our part, as being absolutely necessary to prove that the government was not abetting into a treaty with persons of a temper hostile to it. Mr. Gerry not well hearing M. Talleyrand, who spoke low him to explain himself with respect to the provision which alluded to, supposing it to be a new one ; and he answered one of them was secrecy ; but that there were besides various which might easily be suggested to cover the loan as an impropriety, by limiting the time of advancing it to distant instalments. Mr. Gerry observed, that Dutrimond had suggested that was proposed to be made payable after the war, and in Spain, St. Domingo. M. Talleyrand signified, that that might be the means used, and said that if we were only sincere in our intentions it would be easy to bring about the end.

General Marshall told M. Talleyrand, that if the ministers of the United States had manifested any unwillingness to use proper means to reconcile the two republics, or any indifference on the subject, they had very badly represented the feelings and wishes of their government ; that the government of the United States was most sincerely desirous of preserving the friendship with France, and had, in his opinion, unequivocally manifested this desire, by having deputed us under the extraordinary circumstances attending our mission, and by having so long patiently borne the immense loss of property which had been sustained ; that we had endeavoured, according to the best of our judgment, to represent truly the disposition of our government ; but that we understood that France would consider nothing as an evidence of friendship but an act that would transcend and violate our powers, and at the same time operate the most serious injury to our country. Our neutrality, in the present war, was of the last importance to the United States, and they had resolved faithfully to maintain it ; that they had committed no act, voluntarily, which was a violation of it, and could do nothing in secret, which, if known, would arrange them among the belligerent powers ; that in the present state of things, if America was actually leagued with France in the war, she would only be required to furnish money ; that she had neither ships of war or men to be employed in it, and consequently, as a belligerent power, only be asked for money ; that therefore to furnish money was in fact to make war, which we could by no means consent to do, and which would absolutely transcend our powers, being an act altogether without the sanction and contemplation of our government when our mission was decided on : that with respect to supplies to St. Domingo, we could be entertained that our merchants would furnish them abundantly, if France would permit the commerce ; and that really payable after the close of the war, might then be effected. M. Talleyrand again marked the distinction be-

f instructions and an express prohibition, and again in the necessity of our proving, by some means which we er, our friendship for the republic. He said he must on us, on the part of his government, some proposition ort ; that to prove our friendship there must be some imid, or something which might avail them ; that the prin- reciprocity would require it. General Pinckney and Marshall understood him, by this expression, to allude to formerly made by France to the United States. Mr. the time thought he alluded to the treaty to be made, and reaties should be founded in reciprocity, and then asked ther a loan was the ultimatum of this government. M. nd did not give a direct answer to the question : he said, as nderstood, that the government insisted on some act which monstrate our friendly disposition towards, and our good or the republic : this once done, he said, the adjustment laints would be easy ; that would be matter of inquiry ; rance had done us wrong, it would be repaired : but that as refused, it would increase the distance and coldness be- ie two republics. The conversation continued in this il four o'clock, when we took our leave, and agreed to the evening. In the course of it, and in reply to some ons of M. Talleyrand, respecting the proofs of friendship by France, General Pinckney observed, that our being : a mark of the friendly disposition of our government ; while we were here, the government had passed a decree g neutral vessels having on board any article coming out of , which in its operation would subject to capture all our on the ocean. M. Talleyrand replied, that this was not r to us, but was common to all the neutral powers. At time, in answer to his demand of some mark of our friend- neral Marshall observed, that we considered the mutual of the two nations as requiring peace and friendship, and l on finding sufficient motives in the interest of France to that friendship, without forcing us to an act which tran- our powers, and would be so injurious to our country. ere taking our leave, M. Talleyrand again noticed our ng him, and said, that he conceived our not having had nce from the Directory, ought not to have prevented it. Marshall told him, that our seeing the Directory, or not, bject of no concern to us ; that we were perfectly indif- ith regard to it, but that we conceived that until our haracter was in some degree recognised, and we were s the ministers and representatives of our government, we t take upon ourselves to act as ministers, because by doing ight subject ourselves to some injurious circumstances to e could not submit. He said that was very true, but we might

might see him as private individuals, and discuss the object of difference between us.

We requested of M. Talleyrand another interview, at such hour as might be convenient to him, on the sixth instant. He answered, that he would receive us at half past eleven, at which hour we attended him.

Immediately after our arrival at his office, we were introduced to the minister; and General Pinckney stated, that we had considered, with the most serious attention, the conversation we had the honour of holding with him, a few days past: that the propositions he had suggested, appeared to us to be substantially the same with those which had been made by M. X. by M. Y. and also to Mr. Gerry, with an intention that they should be communicated to his colleagues: that we considered it as a proposition that the United States should furnish aid to France, to be used during the present war: that though it was unusual to disclose instructions, yet we would declare to him, that in addition to its being a measure amounting to a declaration of war against Great Britain, we were expressly forbidden by our instructions to take such a step.

The minister said, in the tone of question, he supposed our instructions were to do nothing which would amount to a departure from our neutrality. General Pinckney said, that we were so instructed, and that they were still more particular. M. Talleyrand then proceeded to argue, that it would be no departure from neutrality, to stipulate a loan payable after the war, and spoke of it clearly as admitting of application to immediate use. He said a good deal of the secrecy with which the transaction might be clothed; and observed further, that a loan payable after the war, would be a proof of our faithful observance of the duties of neutrality, since it would be considered as proving that we had rejected propositions for an immediate loan. General Marshall replied, that we thought differently; that in our opinion, any act on the part of the American government, on which one of the belligerent powers could raise money for immediate use, would be furnishing aid to that power, and would be taking part in the war. It would be, in fact, to take the only part which, in the existing state of things, America could take. This was our deliberate opinion, and in addition to it, we considered our instructions as conclusive on this point.

He observed, that we had claims on the French government for property taken from American citizens. Some of these claims were probably just. He asked, if they were acknowledged by France, whether we could not give a credit as to the payment, say for two years.—We answered, that we could. He then insisted that it was precisely the same thing; that by such an act we should consent to leave in the hands of France, funds to which our citizens were entitled, and which might be used in the prosecution

tion of the war. General Pinckney said there was a difference between the cases ; that such prizes were now actually in the power of the French, without our consent ; we could not prevent it, or get them out ; but the granting or not granting a loan was in our power. He repeated his observation ; and General Marshall said, that the property for which money was due to American citizens from the French government, was taken into the possession of that government without any co-operation on the part of the United States.

No act of any sort was performed by our government, which in any degree contributed to place those funds in the hands of France, nor was there any consent towards it ; but in the case proposed, the act would be the act of the government : the government could itself place funds in the hands of France, and thereby furnish means which might be employed in the prosecution of the war. This was the distinction between the cases ; and in a question of neutrality it appeared to us to be all important. The minister then proceeded to state the case of our assuming the debt of our citizens, and of paying the money in that manner ; but General Pinckney and Mr. Gerry told him we were positively forbidden to assume the debt to our own citizens, even if we were to pay the money directly to them. He seemed surprised at this. General Pinckney observed, that, contrary to usage, we had deemed it proper, in the existing state of things, to state candidly our powers to him, that he might know certainly that we could not secretly, or under any disguise whatever, make a loan which might be used during the war.

M. Talleyrand said, he must resume his position, that there was a difference which he must insist upon, between a loan payable immediately and a loan payable in future ; and he still insisted there was no difference between a loan payable in future and a credit for the money which might be due to our citizens. Mr. Gerry observed, that his colleagues had justly stated the distinction between the debt which will be due to the citizens of the United States from France, in case of her recognising the claims which we shall make in their behalf, and a debt which might arise from a loan by the government of the United States to that of France, during the war. The one is the result of an arrest of their property, without their consent ; the other would be a voluntary act of the United States, and a breach of their neutrality. There is an additional objection to the latter ; if the United States should make such a loan, it would give too much reason to suppose that their government had consented, in a collusive manner, to the capture of the vessels of their citizens, and had thus been furnishing France with supplies to carry on the war. Our instructions are express, not to stipulate for any aids to France, either directly or indirectly, during the war.

With respect to a secret stipulation, a loan cannot be made without an act of the legislature; but if the executive were adequate to it, we have had an instance of an injunction of secrecy on the members of the Senate, on an important subject, which one of the members thought himself warranted in publishing in the newspaper; and of frequent instances of secrets which have otherwise escaped: secrecy, in this instance, might therefore be considered, if the measure was in itself admissible, as being impracticable. General Marshall observed, that we had considered the subject with great solicitude, and were decidedly of opinion, that we could not, under any form, make a loan which could be used during the war; that we could not tell what our government would do, if on the spot; but were perfectly clear, that, without additional orders, we could not do what France requested. Mr. Gerry observed, that the government and nation of the United States, as well as ourselves, were earnestly solicitous to restore friendship between the two republics; that, as General Marshall had stated, we could not say what our government would do, if on the spot; but if this proposition met the wishes of the government of France, General Marshall and himself had agreed immediately to embark for the United States, and lay before our government the existing state of things here, as it respected our nation, to enable them to determine whether any, and what other measures on their part were necessary. M. Talleyrand made no observations on this proposition; but inquired whether we expected soon to receive orders. Mr. Gerry mentioned an answer he had received to a letter sent by him in November; and General Marshall stated, that our first dispatches were sent on board two vessels at Amsterdam, on the 20th of November; from which M. Talleyrand could form as just an idea as we could, when an answer might be expected: but he did not think it probable one would arrive before a month to come. General Marshall told him, we knew that our government had not received our dispatches on the 8th of January; and we could not tell when they might be received. He asked whether our intelligence came through England. General Marshall answered, that it did not; and General Pinckney said, that American papers as late as the 8th of January mentioned the fact.

There was some conversation about the time when these instructions might be expected; and General Marshall suggested a doubt whether our government might give any instructions. He asked, with some surprise, whether we had not written for instructions? And we answered, that we had not: and Mr. Gerry said that we had stated facts to our government, and conceived that nothing more was necessary. General Pinckney observed, that the government knowing the facts would do what was proper; and that our applying or not applying for instructions would

not alter their conduct. M. Talleyrand then inquired whether we had not sent any one to the United States. General Pinckney said, No: and Mr. Gerry added, that soon after our arrival we had made propositions to send one of our number, which were not accepted. And General Marshall further added, that those who had communicated with us, had told us we should be ordered out of France immediately; and we had supposed that we should be ordered out before our letters could reach the government. Mr. Gerry then observed, that the government of France must judge for itself; but that it appeared to him, that a treaty on liberal principles, such as those on which the treaty of commerce between the two nations was first established, would be infinitely more advantageous to France than the trifling advantages she could derive from a loan. Such a treaty would produce a friendship and attachment, on the part of the United States to France, which would be solid and permanent, and produce benefits far superior to those of a loan, if we had powers to make it. To this observation M. Talleyrand made no reply. We parted without any sentiment delivered by the minister on the subject of our going home to consult our government.

As we were taking our leave of M. Talleyrand, we told him that two of us would return immediately, to receive the instructions of our government, if that would be agreeable to the Directory; if it was not, we would wait some time, in the expectation of receiving instructions.

Letter from the French Minister of Foreign Affairs to the American Commissioners.

Paris, 28th Ventose, 6th Year (18th March 1798).

THE undersigned minister of the French republic for foreign affairs has laid before the Executive Directory the memorial which he has received from the commissioners and envoys extraordinary of the United States of America, dated the 28th of Nivose last.—The Directory, desirous of convincing the United States of the real dispositions with which it is animated in regard to them, has directed the undersigned to communicate to the commissioners and envoys extraordinary the following observations:

The first thing with which the mind is necessarily struck in the memorial of the commissioners and envoys extraordinary is the method which they have thought proper to pursue in the statement of the points that are in controversy between the two states. The Executive Directory, animated with the most conciliatory dispositions, impressed with a sense of the interests that ought to draw the two nations towards each other, and eager to concur in the well-known wish of the people of both countries to maintain

a perfect intimacy between them, had reason to expect that the envoys would have come forward with similar dispositions on the part of their government, with minds actuated with the same views, and impressed with the same wishes. How great, after such an expectation, must have been the surprise of the Executive Directory, when the undersigned communicated to them a memorial, in which the commissioners and envoys extraordinary, reversing the known order of facts, have studiously passed over, as it were, in silence, the just motives of complaint of the French government, and disguised the real cause of the misunderstanding, which is prolonging itself between the two republics, so that it should appear from that partial and incorrect statement, that the French republic has no real grievances to complain of, no just reparations to require, while the United States should alone have a right to complain, alone be entitled to demand satisfaction?

The motives which have induced the preference given to this mode of proceeding have not escaped the Directory. Actuated by a proper sense of the dignity of the republic, whose interests it is entrusted with, and wishing eventually to guard against the views that might have pointed out such a conduct, it has given it in charge to the undersigned to dispel those delusive appearances, which indeed must vanish before a candid statement of facts, and as soon as the real intentions of the Directory shall have been solemnly made to appear in opposition to those views which could only be unjustly attributed to them by taking advantage of their silence.

It is an incontestable truth, which is entirely kept out of view in the memorial of the commissioners and envoys extraordinary, that France is entitled to a priority of complaints and grievances; that those complaints and grievances were real as well as numerous long before the United States had the least foundation for either, and consequently before any of the facts which the envoys have so elaborately and minutely discussed had taken place.

It is a no less incontestable truth, that all the grievances exhibited by the commissioners and envoys extraordinary, with some exceptions, which the undersigned was ready to discuss, are a necessary consequence of the measures which the prior conduct of the United States had rendered justifiable on the part of the French republic, and which her treaties with the said United States authorized in certain cases, which it depended upon the general government of the union to bring or not into existence.

It is foreign to my purpose to enumerate the complaints which the French government had reason to make against the federal government since the commencement of the war excited against the French republic by a power jealous of its prosperity and of its regeneration. Those details are contained in the numerous official communications made at Philadelphia by the ministers of the
 2 republic;

republic ; they have been recapitulated by the predecessor of the undersigned, in a note dated 19th Ventose, 4th year, addressed to the minister plenipotentiary of the United States at Paris, and particularly detailed in the official note of Citizen Adet, dated at Philadelphia, 25th Brumaire, 5th year. Complaint was made in the above note of the non-execution of the only clauses of the treaties concluded in 1778, in which France had stipulated some advantages in return for the efforts which she had engaged to make for the common utility, and of insults which had been offered to the dignity of the French republic.

In fact, from the commencement of the war, the American tribunals claimed the right of taking cognisance of the validity of prizes carried by French cruisers into the ports of the United States. It resulted from this pretension, contrary to the letter of the treaty of commerce of 1778, that the property of the citizens of the republic was unjustly detained ; that the French were entirely discouraged from cruising in the American seas against an enemy who was reviving the most barbarous laws of that mode of warfare, in order to insult and annihilate the American commerce even before the eyes of the federal government.

Nor was that government satisfied with favouring the enemies of the French republic in a point of so much importance, a point, indeed, out of which some abuses might have arisen, but which the French government showed itself disposed to prevent ; they went so far as to grant to the ships of the enemy, contrary to the plain letter of the above-mentioned treaty, an asylum in the ports of the United States after having captured property or vessels belonging to French citizens. Soon after, a national sloop of war, at anchor in the port of Philadelphia, was seized, and her commander arrested by order of the government. In like manner the person of the ex-governor of Guadaloupe was arrested by process from the American tribunals, to answer a complaint founded upon facts relative to his administration ; and the Executive Directory were obliged to threaten making use of reprisals before that affair could take the course which was assigned to it by the law of nations. During the whole space of time of which a review has just now been taken, the French government endeavoured in vain to determine the government of the United States to procure to the agents of the French republic the legal means of carrying into execution the articles of the consular convention of 1788, which granted privileges to our commerce and navigation, the principle of which was established by the treaties of 1778 ; and nothing could be obtained in this respect, but fruitless references to the tribunals. In general all matters which, with a truly conciliatory disposition, might have been settled in the way of negotiation, were habitually referred to the judicial authorities, who, whether they were or not under a
secret

secret influence, did in the end, either deprive the republic of rights founded upon treaties, or modified the exercise thereof, and frustrated the system adopted by the Executive.

Such was the true state of things in the month of August, 1795 when the ratification of a treaty of amity, commerce, and navigation, signed at London in November preceding, between the United States and Great Britain, filled the measure of the grievances of the republic.

What had been till that period the conduct of the French government towards the United States? The undersigned, in order to contrast it with that of the federal government, needs only recall to mind certain facts, which surely cannot have been forgotten.

Engaged in Europe by the most pressing concerns, the republic had not directed her attention to the United States unless it was to give them fresh proofs of the most sincere attachment and friendship; she left it to her agents amicably to discuss with the federal government, the controversies, a sketch of which has just now been given, and which, if they had been met on both sides with a real spirit of conciliation, could not have altered, to the present degree, the good understanding of the parties. Scarcely was the republic constituted when she sent a minister to Philadelphia, whose first step was to declare to the United States, that they should not be urged to carry into execution the defensive clauses of the treaty of alliance, although the existing circumstances were in the most unequivocal manner within the *casus fœderis*. Far from viewing this conduct in its proper light, the American government considered it as the acknowledgment of a right, and in the same spirit the commissioners and envoys extraordinary have met this question in the beginning of their memorial. The minister of the republic at Philadelphia, having given uneasiness to the American government, was recalled with readiness, and his recall was attended with circumstances of extreme severity. His successor carried to the United States all the reparations that could be wished for, accompanied with the sincerest and most friendly declarations.—Nothing can equal the spirit of conciliation, or rather condescension, in which his instructions were drawn up in relation to every point that had occasioned any uneasiness to the federal government. Citizen Adet, in the name of the Convention, corroborated those expressions of good-will, and that assembly itself received with the effusions of an unbounded confidence and sincerity, the new minister which the President of the United States sent to them, with the apparent intention to correspond sincerely with the dispositions which the republic had never ceased to evince.

Yet it will hardly be believed, that the French republic and her alliance were actually sacrificed at the very moment when she was thus giving to her ally increased proofs of her attention and re-
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and that the corresponding demonstrations of the federal government had no other view but to lull her and her government into a deceitful security. It is nevertheless well known at this time that it was at that period that Mr. Jay, who had been sent on, only, it was then said, in order to negotiate arrangements respecting the depredations which were committed by the cruizers on the American trade, was signing a treaty of navigation, and commerce, the negotiation and signature of which had been kept a most profound secret at Paris and at Philadelphia. That treaty was not avowed to our minister plenipotentiary until the last extremity; and it was communicated to Congress for form's sake, after it had been sanctioned by the ratification of the Senate. When the agents of the republic complained of that mysterious conduct, they were answered by an appeal to the independence of the United States, solemnly established by the treaties of 1778—a strange mode of defence against a want of sincerity which the dissimulation which was used proves to be not only too well grounded; an insidious subterfuge, which on the principal point of the question substitutes a general principle, which the republic could not be suspected to controvert or deny, which by means of a sophism destroys that intimate confidence which ought to subsist between two allies, and particularly between the French republic and the United States.

It is difficult to discover in this conduct, that which ought to be expected from a friend. What shall we think of the treaty and of its provisions? That treaty is at this day known to the people; and the small majorities which gave it sanction in Congress, as well as the strong and numerous expressions of the disapprobation of the people against it, are so many honourable testimonies in support of the view which the French government has taken of it. The undersigned will not repeat the observations of his predecessor on this treaty, in his note of the 19th of Messidor before mentioned, and in that of the 19th of Messidor following; neither will he repeat what the minister plenipotentiary of the French republic at Philadelphia set forth much at large in his official declaration of the 25th Brumaire. He will confine himself to say summarily, that every thing having been calculated in that treaty to make the neutrality of the United States operate to the advantage of the French republic, and to the advantage of Great Britain's concessions, the most unheard of, the most incompatible with the interests of the United States, the most contrary to the alliance which subsisted between the said States and the French republic; the latter has been perfectly free, in order to avoid the inconveniences of the treaty of London, to seek of itself the means of self-preservation which the laws of nature and prior treaties offered.

Such

Such are the motives which have prompted the *arrêtes* of the Directory, of which the United States complain, as well as the conduct of its agents in the West Indies. All those measures are included in the article II. of the treaty of 1785, which provides, that as to navigation and commerce France shall always stand in relation to the United States on the footing of the favoured nations. The Executive Directory cannot be blamed if the execution of this eventual clause has produced some inconveniences to the American flag. As to abuses, which may have arisen under the operation of that principle, the undersigned repeats, that he was ready to discuss them in the most amicable manner.

From this faithful exposition of the facts which have progressively led to the present existing misunderstanding between two republics, it is evident, as the undersigned observed in the beginning of this answer, that the French republic were aggrieved, and that such of her measures as may have given rise to the complaints of the United States are, with a few exceptions, the natural consequence of a state of things which it was in their power to produce or to avoid.

If the undersigned, in setting forth the complaints of the republic, should confine himself to the treaty of London, he would but partially fulfil his duty, which directs his attention to four objects.

From the moment when that treaty was put into execution the government of the United States appeared to think itself released from the necessity of saving appearances towards the republic.—Notwithstanding the reiterated assurance which had been given to its ministers, that this treaty should make no change in the pre-existing state of the neutrality of the United States, French cruisers were notified in the course of the year 1796, that they could no longer, as had been theretofore practised, be permitted to sell their prizes in the ports of the United States. This decision was made by the federal court of justice, grounded on the treaty concluded between the United States and Great Britain.

The newspapers known to be under the indirect control of the cabinet, have since that treaty been doubly active in their reflections and calumnies against the republic, and against her principles for representatives and agents; libellous publications of this kind, paid for by the minister of Great Britain, have brought to view under every shape, those insults and those calumnies; and this scandalous state of things never excited the attention of the government, who might have repressed it. On the contrary, it was countenanced by the public acts of the government itself. The Executive Directory has been itself denounced in a speech, delivered by the President, in the course of the month of May (O.

as endeavouring to spread anarchy and divisions in the United States. The new allies which the republic has acquired, and who are the same who concurred in asserting the independence of the Americans, have also been insulted in official correspondences which have been made public, and in the newspapers. Indeed it is impossible not to discover in the tenour of the speeches, and in that of the publications which have been alluded to, a latent enmity, which only awaits a favourable moment to break out.

Facts being thus placed in their true light, it is disagreeable to be compelled to think that the instructions on which the commissioners have acted, have not been drawn up with a sincere intention to produce a pacific result; since, far from grounding their memorial on some acknowledged principles or uncontested facts, they have inverted and confounded one with the other, so as to be enabled to impute to the republic all the misfortunes of a rupture which it appears to be intended to produce by such a line of conduct. It is evident that the intention unequivocally expressed, of maintaining, at every hazard, the treaty of London, which is the principal grievance of the republic; of adhering to the spirit which has produced that treaty and directed its execution, and of refusing to allow to the republic any of the modes of reparation which she has proposed through the undersigned, have dictated those instructions. It is equally evident, that there is no hesitation in sacrificing to these foreign feelings, those which the treaties of 1778, and the recollection of the circumstances in the midst of which they were concluded, ought to inspire.

The remote consequences of such a conduct have not escaped the attention of the Directory. It is wished, while nothing is omitted which can prolong the misunderstanding, and even increase it, to throw on the republic, in the view of America and Europe, all the odium of such a rupture.

It is endeavoured to justify by delusive appearances, the prejudices which are disseminated at pleasure against the republic, and the system of exasperation and alienation which is pursued, in respect to her, with the most unaccountable perseverance. It is intended, finally, to seize the first favourable opportunity of consummating an intimate union with a power, towards which a devotion and partiality are shown, which has long been the basis of the conduct of the federal government.

The intentions which the undersigned attributes to the government of the United States, are so little disguised, that nothing seems to have been neglected at Philadelphia to render them evident to every eye. It was probably with this view, that it was thought proper to send to the French republic, persons whose opinions and connexions are too well known to expect from them dispositions sincerely conciliatory. It is painful to the undersigned to be obliged to contrast this conduct with that which has

been held towards the cabinet of St. James's in analogous circumstances. The American executive was anxious to send to London ministers well known to possess sentiments suitable to the object of the mission. The republic might have expected, it would seem, a similar deference; and, if the same degree of propriety has not been observed with respect to them, it is but too probable, that it must be attributed to the views above pointed out by the undersigned.

It is impossible to foresee whither such dispositions may lead.— The undersigned hesitates not to believe, that the American, like the French nation, beholds with regret such a state of things, and is sorrowfully affected with the idea of its consequences. He thinks the Americans will form a correct opinion, with regard to the prejudices against an allied people which endeavours have been made to instil into them; and also with regard to the engagements which it seems to be the object to prevail upon them to contract, to the injury of an alliance which has so powerfully contributed to place and maintain them in the rank of nations; and that they will discover in those new combinations the only dangers to which their prosperity and national importance can be exposed.

Impressed with the truth of these observations, and the consequences which flow from them, the Executive Directory have authorized the undersigned to express himself with all the frankness that becomes the French nation. It was indispensable that he should, in the name of the Executive Directory, dispel the mist of illusions with which the complaints of the ministers of the French republic have for five years past been surrounded, with a view to weaken, misrepresent, or disguise them. He was absolutely bound, by declaring their sentiments in an unequivocal manner, to clear up every doubt and every false interpretation to which they might have been subject.

It is, therefore, solely with a view to smooth the way to discussion, that the undersigned has entered upon the preceding explanations. It is with the same view that he declares to the commissioners and envoys extraordinary, that notwithstanding the kind of prejudice which may have been entertained with respect to them, the Executive Directory are disposed to treat with that one of the commissioners whose opinions, presumed to be more impartial, promise in the course of explanations a greater share of that mutual confidence which is indispensably required. The undersigned flatters himself, that this overture will meet with no serious opposition on the part of the commissioners and envoys extraordinary; it is the more natural to expect it, as by the tenour of their powers the said commissioners and envoys extraordinary are authorized to negotiate jointly or separately; so that nothing but the desire of precluding all accommodation could raise any objection against that measure, which moreover is merely pointed out to the com-

commissioners themselves, in order that nothing may on this occasion have an unfavourable appearance, and which evidently has no other object than to secure a happy issue to the negotiation, by removing at the first outset every thing that might, in the course of that negotiation, awaken feelings that might eventually commit it.

The undersigned hopes the commissioners and envoys extraordinary will soon enable him to inform the Executive Directory of their determination. Whatever this determination may be, the undersigned flatters himself, that the explanation he has given will have placed the subject in its true light, and may eventually serve to remove, in the eyes of all impartial men, the unfavourable impression, which might be endeavoured to be made respecting the intentions of the French republic and her government.

He concludes by renewing to the commissioners and envoys extraordinary the assurance of his consideration.

(Signed) CH. MAU. TALLEYRAND.

Beliamy, of Hamburg, to the Editor of the Ami des Loix, in Answer to his Paper of the 21st Prairial.

THE report of the American commissioners has been circulated throughout all Europe with great profusion. It furnishes fresh nourishment to keep alive the hatred the enemies of France feel against the French government, by endeavouring to prove that corruption has the most powerful influence in the Directory and over their ministers; it may at least fairly be supposed, that the report alluded to originated in this perfidious intention; but without attempting to defend those who stand in need of no defence, I shall content myself with repelling the injury done to me in that report, by describing me in the character of an intriguer.

Citizen Talleyrand, without whose orders I have done nothing, said nothing, written nothing, might very well mistake me for another, from the character given to me in the report of the commissioners—I myself should have been led into an error by it, if your journal had not lately named me as the person represented by the letter Y. I expect from your impartiality, that as you have been the echo of calumnies against me, you will also give room to the following simple truths, substantiated by facts, which I submit to the consideration of the public.

Commercial concerns, in which it is well known I was engaged, made my presence necessary at Paris, where I had frequent opportunities of seeing Citizen Talleyrand, with whom I was formerly pretty intimately acquainted. One of my friends, a citizen of the United States, who had been informed of that cir-

cumstance, came to entreat me to communicate to that minister certain means of bringing about a reconciliation between France and America: I consented, and the minister thought the proposition was not unworthy of his attention. He accordingly made me immediately acquainted with the charges of the French republic against the Americans, especially with those that were taken from the speech of the President Adams, of which he gave me a French translation, together with notes written in his hand, respecting explanations and reparations that he required. He next proposed to me that I should see the commissioners.

A wish to oblige him was not the only motive that determined my resolution. The commercial advantages which I should derive from a treaty of peace, towards which I should have contributed, made me, I confess, somewhat regardless of the relation I had taken, not to intermeddle in political affairs.

I waited on the commissioners; and the friend who had introduced me to Citizen Talleyrand, was at once my introducer and my interpreter; for, to my great surprise, they declared that they did not understand French, and I was equally unacquainted with English. In this first conference I showed them the above-mentioned note of the minister, respecting the President's speech. My interpreter wrote down in French from what I dictated to him, five articles which I conceived might constitute the basis of a treaty of alliance: not a word did it contain relative to any specific sum of money: read these propositions transcribed literally from the report of the American commissioners*.

* "There is demanded a formal disavowal in writing, declaring the speech of the Citizen President Barras did not contain any thing offensive to the government of the United States, nor any thing which deserved the censure contained in the whole paragraph: secondly, reparation is demanded for the article, by which it shall be declared, that the decree of the Legislature there mentioned did not contain any thing contrary to the treaty of 1778, and had none of those fatal consequences that the paragraph reproaches it: thirdly, it is demanded, that there should be an acknowledgment in writing, of the depredations exercised on our trade by the English and French privateers: fourthly, the government of France, faithful to its profession of public faith which it has made, not to intermeddle in the internal affairs of foreign governments with which it is at peace, would upon this paragraph as an attack upon its loyalty, if this was intended by the President.—It demands, in consequence, a formal declaration, that it is the government of France, nor its agents, that this paragraph means to designate. In consideration of these reparations, the French republic proposes to renew with the United States of America, a treaty, which shall place them reciprocally in the same state that they were in 1778. But this new treaty France shall be placed with respect to the United States, on the same footing as they stand with England in virtue of the last treaty which has been concluded between them. A secret article of this new

Nor is this all: read over the whole of that conference, and also the three other conferences which I held under the description of Y, with the whole of the commissioners together. However mis-shapen and contradictory the narrative of these conversations may appear under their pen, you will perceive that they have never dared to accuse me of having made a demand of twelve hundred thousand livres; that they do not quote a single word of mine, that has any respect to such a circumstance; they merely pretend that in one instance I answered in the affirmative, to a question which they mention having put to me on this subject.

What! shall an accusation of so serious a nature rest on no better foundation than a gesture, a nod, or a monosyllable, which is not even so much as mentioned? And shall they be received as an answer to a question put in a foreign language which I do not understand? The bare statement of such an accusation is sufficient to refute it.

With the knowledge of the minister, I had a second conference with them, in which I proposed of my own accord, and as a means of proving their attachment to France, to buy up some Batavian rescriptions at par—See my proposition as it is reported by the commissioners; you cannot discover a word in it respecting a pretended *douceur* for the offices*.

The commissioners were desirous to transmit me a written answer—read it over again, Citizen, in their own correspondence, and say whether it contains a single word concerning the pretended twelve hundred thousand livres†.

would be a loan to be made by the United States to the French republic; and once agreed upon the amount of the loan, it would be endeavoured to consult the convenience of the United States with respect to the best method of preventing its publicity."

"M. Y. said further, that if we desired him to point out the sum which he believed would be satisfactory, he would do so. We requested him to proceed; and he said, that there were thirty-two millions of florins of Dutch rescriptions, worth ten shillings in the pound, which might be assigned to us at twenty shillings in the pound; and he proceeded to state to us the certainty, that, after a peace, the Dutch government would repay us the money, so that we should ultimately lose nothing; and the only operation of the measure would be an advance from us to France of thirty-two millions on the credit of the government of Holland."

† "We committed immediately to writing the answer we proposed, in the following words: 'Our powers respecting a treaty are ample; but the proposition of a loan in the form of Dutch rescriptions, or in any other form, is not within the limits of our instructions. Upon this point therefore the government must be consulted: one of the American ministers will, for the purpose, forthwith embark for America, provided the Directory will suspend all further captures on American vessels, and will suspend proceedings on those already captured, as well as where the decisions have not yet been rendered; and that where sales have been made, but the money not yet been received by the captors, it shall not be paid until the preliminary questions proposed to the ministers of the United States, be discussed and decided'."

Permit

Permit me here to correct and to animadvert on a very serious mistake: in speaking of that answer of the commissioners, you say, "When an attempt is made to confide to Y. the negative answer to his proposition of twelve hundred thousand livres, he shrinks from undertaking it; and he is compelled to confess, from a kind of shame, that the proposition comes neither from the Directory, nor even from the minister, but that it comes merely from himself."

What levity, what injustice does not this paragraph betray, in which you so inconsiderately dispose of the reputation of an honest man!

Peruse once more that answer, or get it explained to you, and you shall not discover in it one single word respecting that pretended proposition of a sum to be paid for attaining the ends of corruption. Read over the whole conference, and you will perceive that, from the very outset, I hold out the idea of a purchase of Batavian rescriptions as my private individual opinion; and then, perhaps, you will repent of the injury you have done me!

Finally, a third conference took place on the 30th of October: I delivered into the hands of the American commissioners a paper containing seven articles, among which is to be found the proposed purchase of Batavian rescriptions, but not one word here neither, of the twelve hundred thousand livres*.

Observe, Citizen, that in each conference I invariably started by declaring "a circumstance not denied by the commissioners themselves, that I did not pretend to any public character; that I did not insinuate any connexion whatever with the Directory; that I was not known to any of its members; and that I took a part in these conferences merely out of complaisance for Citizen Talleyrand, who was studious to devise every possible means of securing an honourable peace between the two nations."

Have, therefore, the candour to confess, that a man unacquainted with the Directory, without possessing any weight with any of its members, and who cannot fairly be regarded as attempting to impose upon the world, is not a person of sufficient consideration to be bought at the price of twelve hundred thousand livres.

* "1. That the envoys should remain in France six months on the same etiquette as the Portuguese minister. 2. That a commission of five should decide on the reclamations of the Americans relative to prizes. 3. That the American government shall pay the indemnifications to the American creditors of the French republic in the first instance: the French to repay in future. 4. One of the envoys shall return to America to demand powers to purchase, for cash, thirty-two millions of Dutch rescriptions. 5. In the interval, the definitive treaty to proceed, and to be ready for signature on the return of the envoy. 6. The question of the *role d'équipage* to remain suspended until his return. 7. Hostilities to be suspended for six months, during the going and the return of the envoy."

Shall it be said, that, availing myself of my acquaintance with the minister, I endeavoured to make good some claim to that sum? The narrative of the commissioners is an additional argument to prove the absurdity of that imputation. You may there read, that, convinced of the inutility of intermediate conferences, I waited upon Mr. Gerry, to entreat him to ask for a personal interview with Citizen Talleyrand, the minister; that I myself conducted him to the house of that minister, praying him to acquaint the minister, without any exception, with the whole of the propositions or demands that had been made to him. And here, indeed, is it that I have to appeal to Mr. Gerry himself; beseeching him to do homage to that truth; to have the goodness to say, whether he was silent on any proposition; whether he was conscious of the least possible omission; and whether I did not express myself in terms of thanks for his very punctilious exactness; and what was the answer of Citizen Talleyrand? namely, That the instructions given by me, Bellamy, to Mr. Gerry, were exact, and that he could always rely upon them*.

What then, might I ask with some degree of astonishment—what then are the political views of Mr. Gerry, when, notwithstanding the preceding facts, he so tardily accuses me, in his letter of the 31st May, of not having, as far as he knew, produced any confidential powers, any document, of any nature whatsoever, and consequently of being a person who came forward in a very questionable unauthorized shape?

But I myself am here guilty of injustice towards the American commissioner. It is not he, but you, Citizen, who brand me with the odious suspicion of being a hireling negotiator, while your own journal contains a proof that Mr. Gerry exonerates me from any such imputation.

“Mr. Gerry,” you say, “has positively declared, in one of his letters, that no citizen authorized by the minister, has said a syllable to him that carried with it the most remote intimation of the proposition of disbursing money for the purposes of corruption.”—Say, therefore, Citizen, that I am the person, or that Mr. Gerry points out a person, who, during the whole course of this negotiation, has been more accredited than I was by the minister to treat with Mr. Gerry—All the instructions of Mr. Bellamy are exact, and you may always confide in them. Connect this formal authorization of the minister with what Mr. Gerry has declared positively, and again you must vent a repentant sigh for the injury you have done me.

How also does it come to pass, Citizen, that you mention in terms of praise, the exertions made by the minister of the foreign

department to extricate the commissioners from their embarrassed situation, and that in the same number of your journal you criminate me for having co-operated with his desires?

As a condition previous to acknowledging the commissioners, I called upon them, you say, for certain explanations of some passages evidently insulting to the French republic, which were distinguishable in the speech of the President of the United States. But soon he was desirous to spare them the embarrassment "of these disavowals, and gave them to understand that an offer made by them to purchase a certain quantity of Dutch rescriptions, would be regarded as a friendly act on their part: finally, he complained of not seeing them, and seemed anxious to hold conferences with Mr. Gerry."

Here, then, is a precise analysis of all that I have said, written, or done in the three conferences which I held with the commissioners. Be therefore consistent with yourself, Citizen; either retract the well-merited praises which you bestow on the pacific intentions of the minister, and on the steps which he ordered to be taken, or confess that this man, who was the faithful organ of his intentions, and who followed, with the most scrupulous exactness, the instructions he had received, by no means deserves the cruel reproach with which you load him.

And here I would conclude my answer, had I not to notice and reprobate the levity or the inconsistency with which the commissioners, in their report, turn against me the overtures which I was charged by Citizen Beaumarchais to make to them in his name. I had seen him at Hamburgh, and I had kept up a commercial intercourse with him. Having been informed by the commissioners themselves of my intercourse with him, he wrote to me, and his letter is in my possession, praying me to propose to Mr. Marshall, who had been his counsel in Virginia, in a lawsuit for nearly fifty thousand pounds sterling, gained in the first instance by his abilities, to buy up his claims at fifty thousand pounds sterling loss.

I made that proposition in person to Mr. Marshall; he communicated it to Mr. Gerry, who was present, and then myself conversed upon it with the latter; both of them, who had been studying French for two months, thought they understood it sufficiently not to require the assistance of an interpreter; unfortunately for me, it proved otherwise, since neither of them understood in the same manner the proposition which I had made to them, as clearly appears from the note of Mr. Marshall of the 18th December:—"General Pinckney and Mr. Gerry met together at my house; Mr. Gerry gave us a detailed account of the conversation, of which mention is made in our public letter. The proposition relative to the reclamation of M. Beaumarchai

her different from what I had conceived of it, in confessing what M. Y. had told me."

As *Loix*, which has constantly kept up the unconciliating of the commissioners, their different views, their pre-judice against France, the dislike of two of them to peace, endeavouring to degrade my character, might have done so by observing on this paragraph, which evidently charges the commissioners with a mistake, or with the political falsification of facts.

For ten days after the audience I procured for Mr. Gerry and Citizen Talleyrand, I went to dine with the commissioners, only with this minister. The following decade I again saw Mr. Gerry at the minister's house, fifteen days having elapsed without any reciprocal communication. Mr. Gerry prayed to call upon him at his house, but I refused it, as contrary to the inclination of Citizen Talleyrand.

Three days after, he thought proper that I should return to Paris. Mr. Gerry then again entreated me to give him a copy of what I conceived to be the last intentions of the commissioners. I did so in four articles, without the least mention of a pecuniary sum for purposes of corruption. Mr. Gerry is in possession of that note in my hand-writing.

Three days after Mr. Gerry called upon me. He expressed a desire to have a new private interview with Citizen Talleyrand; and I requested and obtained, and I intimated it in writing to Mr. Gerry, who wrote me a letter of thanks on the occasion. The letter is in my hands. Mr. Gerry paid me another visit, and I solicited a new interview, which was granted, and I answered expressive of his thanks.

From the day on which I first conducted Mr. Gerry to Citizen Talleyrand's house, I had been with him five times. I gave the note into his hands. We have written several letters to each other, and I call upon him to publish mine.

Let me repeat it, the man who would have dreaded the publication of an improper demand, would he have been the proposer of interviews with the minister? Would he have stepped forward to solicit them at the instigation of others, or, would he not have exerted himself to prevent their publication?

On the 7th of February I quitted Paris. Two months afterwards. Immediately on my arrival I was again engaged to commune with the minister on the embarrassing situation of the commissioners. This I declined, being furnished with proofs that, excepting Mr. Gerry, they entertained no prospect of a conciliation between the two governments; and concluded my intercourse with them, though I continued to write.

six weeks, during which time I visited Citizen Talleyrand at least three times every week.

I have proved that I never made any demand of a specific sum of money from the American court, and that the very conversation, and that the recital of my conferences with them in their own printed correspondence, did not lay that accusation to my charge.

I have proved that I have been authorized by the ministers to keep up this correspondence with the commissioners; that Mr. Gerry was certain of it; and that my instructions, uniformly exact, had only for their object an honourable peace between the two republics.

In a word, I have explained the mistake into which Mr. Marshall had fallen, relative to the particular proposition which was charged to make him; and I have shown that this mistake alone might have been the pretext for the accusation brought against me.

I imagine that I have enabled you also to conclude, that I do not deserve the testimony which the commissioners bear to my forwardness in courting interviews with them, since it was they themselves who, after the three first conferences, came and waited upon me, and that I finally expressed a firm resolution of bearing no part in the intercourse with the minister.

I deserved to have met with friends, and I am certain that the confidence they would repose in me, would repel the injury then done to my character. I feel called upon to justify, in the eyes of the prejudiced and indifferent, the kindness they bestow upon me; and if I have succeeded in repressing the rising sentiments of indignation—if I have submitted to the humiliating task of pleading against calumny, it is in order to fulfil this sacred duty—it is in order to expiate, in some measure, by this painful effort, for the too easy confidence with which I imprudently flattered myself that I was promoting the advantages of commerce and the cause of humanity.

Hamburgh, June 25, 1798.

Copy of a Letter from M. Classen, Esq. Danish Consul at Paris to Thomas Muldrup, Esq. Danish Consul at Leith.

IN conformity to the message sent by the Executive Director the 4th of January, to the Council of Five Hundred, the said Council decreed, the 11th instant, as you will please to observe by the following extract from the sitting of the 22d Nivôse
 “ That all vessels found on the seas, loaded in part, or in whole with products or merchandise of Great Britain, or of her possessions, will be declared as legal prizes, without regard to the pe-

sons to whom such products or merchandise may belong." This decree, however, has not the force of law, until approved of by the Council of Elders ; but as I have no doubt that these violent and unjust measures against neutral vessels and cargoes will be sanctioned and put in execution, I hasten to acquaint you of them, and to beg of you to put all our navigators on their guard from approaching the ports or coast of France with the products or merchandise of Great Britain, until the French government change its principles, as I flatter myself it will do. It would be rendering an important service to the East and West India traders, were you to inform them of the danger they run in approaching the coast of France ; and I have to request that you would send out circulars by the first ships sailing for these parts to that purpose.

I have the honour to be, &c.

Note from Citizen Bernadotte, Ambassador from the French Republic to the Court of Vienna, to M. Baron de Thugut.

THE ambassador of the French republic informs M. de Thugut, that at the very moment he is writing this note, a fanatical populace dare to form an assemblage before the gate of his residence. The motives that animate the assemblage cannot be the object of the slightest doubt, because several stones have been thrown at the windows of the house which the ambassador occupies. Indignant at such insolence, he entreats M. de Thugut to order instantly the necessary researches, in order that the authors may be discovered, and punished in such a manner as may serve for an example. The ambassador doubts not that his reclamations will be attended to with all the speed which they ought to inspire, and that in future the police may be vigilant enough to prevent every similar scene, which cannot be renewed without involving in it the most serious consequences : since it is the firm intention of the ambassador to repel with energy the slightest insult, much more such scandalous excesses.

(Signed)

BERNADOTTE.

24 Germinal (13th April 1798).

P. S.—M. de Thugut is desired to remark, that there is much reason to complain of the agents of the police. Several individuals, who said that they were employed by the police, were required to disperse the assemblage ; but instead of fulfilling the intentions of the ambassador, they remained cool spectators of these revolting disorders.

Second Note.

THE ambassador of the French republic informs anew M. de Thugut, that the frenzy of the people is such, that all the panes of glass of the house have been broken by the stones thrown against them. He advises him, that the assemblage is already increased to upwards of three thousand persons, and that the guards in the environs of the house, far from protecting it, remain approving spectators of the caprice and fury of the people—their inertness encourages them. The ambassador cannot but believe, that this scandalous scene is tolerated, or rather excited, by the authorities which adopt no measures to put an end to it. He fees with as much pain as regret, that the dignity of the French people is wounded by the insult offered to the ambassador, who has vainly invited the crowd to separate and retire peaceably to their habitations. At the very moment in which the ambassador is writing, the fury of the populace is such, that the gates have been broken by the stones thrown against them, and that in presence of the guards: the tri-coloured standard has just been torn away by the mutinous populace. The ambassador, not being able to remain longer in a country where the most sacred laws are violated, where the most sacred treaties are trodden under feet, demands of M. de Thugut a passport to return to France with all the legation; unless M. de Thugut, reproving this violation of the rights of nations, would prefer proclaiming in the streets of Vienna, that the Austrian government, having taken no part in the insults and outrages exercised against the French republic, formally disavows them; and directs that the authors and accomplices be sought after and punished in an exemplary manner. On this condition alone, and with an obligation on the part of the Austrian government to replace the tri-coloured standard, and to cause it to be hoisted by a civil or military officer in the house of the French ambassador, the ambassador can remain. M. de Thugut must see that the time presses, that the moments are precious, and that therefore he owes to the ambassador a prompt and categorical reply to all the points of his demand. The ambassador besides observes to M. de Thugut, that several persons of the legation have been obliged to release themselves from the fury of the populace sword in hand.

(Signed)

BERNADOTTE.

Third Note.

THE ambassador of the French republic informs M. de Thugut, that the tumult and excesses of all kinds have lasted for five hours; that no police officer has yet been to him; that a fu-

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nous populace is in possession of different parts of his habitation, where the seditious break every thing they meet with ; that the ambassador, the secretaries of legation, the officers and French citizens who were with him, are obliged to retire to an apartment, where, with the disposition that characterizes French republicans, they await the event.

The ambassador can no longer remain in an unhospitable city, where they violate in so frightful a manner the principles that unite nations, the rights of people consecrated by the respect of all civilized persons : he requires his Imperial Majesty's minister for foreign affairs to send him the necessary passports for himself and for all the Frenchmen who are to go with him. The sending of this passport ought to be hastened so much the more, because the crowd, on the point of breaking into the room where the French citizens wait for it, drew back only at the moment in which some servants were obliged to use fire-arms against them.

(Signed)

BERNADOTTE.

P.S. This last note which the ambassador of the French republic destines for M. de Thugut, is sufficiently marking in its object for him not to perceive that it is the third which will have been addressed to him, without any reply having followed the two first.

Reply of M. de Thugut, 13th April 1798.

IT is with infinite pain that the minister for foreign affairs has learnt the disorders which are the subject of the notes which the citizen ambassador of the French republic has addressed to him this evening. The minister will make an exact report to his Imperial Majesty, and he doubts not that he will feel much displeasure. The citizen ambassador may be persuaded, that no means shall be neglected to examine into the events of this evening with all the rigour prescribed by justice, and with the sincere interest which the Austrian government will ever attach to the cultivation of the amity so happily re-established between the two powers.

(Signed)

THE BARON DE THUGUT.

Note addressed by the Ambassador Bernadotte to the Emperor.

HIS Imperial Majesty cannot fail to have been informed of the excesses committed against the embassy of the French republic. Three successive notes have been addressed by the ambassador to M. Baron de Thugut, to announce to him the beginning and progress of the tumult. He has seen all the period of danger elapse without receiving any answer ; and it was not till three in the morning that he received at length a note very little calculated

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to fulfil his expectation. So extraordinary a conduct places the ambassador of the French republic in the situation of inviting his Imperial Majesty to cause the different notes sent to his minister for foreign affairs to be laid before him. It is with regret that he entreats his Imperial Majesty to observe, that among the number of his reclamations is the demand of passports, of which he is forced to make use to go and receive the orders of the government to which he has the honour to belong. In removing from this residence he shall carry with him the consolatory certainty of having neglected nothing to convince his Imperial Majesty of the pacific and amicable dispositions which the French government entertains with regard to him. Another motive of satisfaction is derived from the persuasion, that his Imperial Majesty is deeply afflicted by the attack directed against the representative of a friendly government; and that all the measures which the circumstances required would have been immediately adopted, if the intentions of his Imperial Majesty had been faithfully fulfilled. The ambassador hopes that the future will confirm this opinion in a signal manner, and that a just reparation will prove to the Executive Directory of the French republic, that his Imperial Majesty forms wishes as sincere as they do for the maintenance of good understanding between the two nations.

(Signed)

BERNADOTTE.

25 Germinal (14 April).

Answer of the Imperial Minister, Count Colloredo, to the above Note.

THE minister of the cabinet, Count Colloredo, has the honour, in obedience to the orders of his Imperial Majesty the Emperor, to signify to the citizen ambassador of the French republic, that his Majesty has heard, with much uneasiness, of the excesses and disorders committed in the preceding night; that his Majesty was no sooner informed of them, than he sent proper orders both to the commandant of the troops and the minister of police; and from their known zeal there can be no doubt of his intentions having been fulfilled, as far as circumstances would permit; that the Emperor hopes the citizen ambassador will not persist in the steps he mentions, but will consider the inconveniences likely to arise from any report of a disagreement between the two powers; a report which the departure of the ambassador from Vienna could not fail to excite; that his Majesty has ordered the Count de Saurau and Baron Degeleman to repair, in the course of the day, to the citizen ambassador, in order to furnish lights upon, and to verify all the facts, and to remove all just motive of complaint on his part, to the satisfaction of all parties. The Emperor, in commanding the undersigned to testify these
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entiments to the ambassador, has also directed him to add his assurances of his Majesty's unalterable resolution to preserve the friendship and good understanding so happily established between the two powers; a resolution, the sincerity of which is placed beyond all doubt, by the punctuality with which his Majesty has complied with all the stipulations of the treaty of Campo Formio.

The undersigned entreats the citizen ambassador to accept the assurances of his high consideration.

COLLOREDO.

Proclamation issued at Vienna on the 14th May 1798.

HIS Majesty the Emperor has received, with the utmost satisfaction, the various proofs of loyalty and attachment manifested by the good citizens of this metropolis on so many occasions since his accession to the throne; and these proofs are the more pleasing to his paternal feelings, as they were always attended with love of order, propriety of conduct, and a peaceful demeanour. For the first time, his Majesty learned yesterday, to his great displeasure, that some inhabitants of this capital, deviating from the path of lawful order, and led astray by an ill-judged zeal, allowed themselves to commit several acts of violence in the house of the French ambassador, and to disturb the public tranquillity and peace. His Majesty expects that from this moment no well-disposed citizen, either directly or indirectly, will encourage any further assemblage, but, on the contrary, will exert himself to the utmost extent of his abilities to restore order and tranquillity. But if, contrary to this expectation, any inhabitants of this city should attempt again to disturb the peace of their fellow-citizens, the same shall be prosecuted and punished according to the utmost rigour of the law.

Copy of a Letter from Citizen Bernadotte, Ambassador from the French Republic to the Court of Vienna, to Citizen Bacher, Minister at Ratisbon.

Vienna, 24th Germinal (April 14), 6th Year.

THE violent attack on the French embassy, of which the Papal government gave the first example, has been repeated at Vienna. I had caused a small tri-coloured flag to be displayed before my hotel, to supply the place of the arms of the republic, which I had not yet procured. About seven o'clock in the evening a riotous mob, the blind instruments of some designing persons, collected under my windows, and uttered violent threats and execrations against the national colours. I went down, and endeavoured to persuade them to disperse, but without effect.

Some

Some persons, who called themselves agents of the police, by their inactivity in opposing them, in fact induced them to stay and seemed to promise them impunity. They soon proceeded from threats to open acts of violence. An armed force, more than sufficient to restrain the rioters, or even to disperse them remained mere spectators of the mischief they did; and their inertness contributed to increase the fury of the multitude. The rioters now broke open the doors of the house, and forced their way into the court-yard, shouting, "Death and destruction to the French!" Death we indeed expected, but our last moments would have been terrible to our assailants, for we were determined to sell our lives dear. Three of these ruffians attempted to force their way up the stairs; but three pistol shots from my attendants punished them for their temerity. This opposition which they probably did not expect, somewhat damped their courage, and they wreaked their vengeance on the carriages and other effects in the court-yard, which they supposed to be ours. At last, after we had been left five hours exposed to the fury of these banditti, a detachment of cavalry, which had long been there, was ordered to act, and soon cleared the court-yard and adjoining places of the mob.

As the rights of nations, and the honour of the French republic, have been thus scandalously insulted in my person, and the Austrian government did not appear willing to make suitable compensation, I propose to-morrow to leave Vienna and repair to Rastadt, there to wait the further orders of the Directory.

In the mean time I flatter myself, that a breach between the two nations will not be the necessary consequence of this shameful transaction; and that Francis II. when he is more fully informed of all the circumstances, will give that satisfaction to the French republic which it has a right to require.

Health and fraternity.

(Signed)

BERNADOTTE.

The Ambassador of the French Republic residing in the Cisalpine Republic to the two Councils of the latter Republic.

Citizens Legislators, *Milan, 15th Fructidor (Sept. 1).*

YOU cannot be ignorant of the state of disorganization and debility under which your country now labours: neither can you be ignorant of the dangers with which it is threatened.

A constitution too frequently violated to be able still to retain any power, or to assert and maintain the rights of citizens; a government destitute of means, equally impotent to do what is good, or to prevent what is evil; a ruinous and ill-conducted administration; a military establishment of no efficacy, though of
imminent

immense expense; finances most shockingly disordered and exhausted; no republican institutions; no plan of public instruction; no coherency; no uniformity in the code of the civil laws: every where symptoms of insubordination, want of spirit, and dilapidations left unpunished; in a word, the most frightful and accomplished anarchy: such is the picture now exhibited by the Cisalpine republic.

Injurious suspicions circulated with activity in order to spread false alarms; calumniating accusations brought against the best citizens, in order to render them odious, or to alienate their affections; weak men led astray by the advice of the perfidious, who encourage and propagate error; the enemies of liberty secretly fomenting intestine broils; cabals and parties associating together at the instigation of a few partisans of sedition; these parties continually menacing and provoking each other; civil war on the point of being kindled in your towns: such are the dangers, such the calamities that must soon reduce your country to desolation and ruin.

Your friend and ally, the French republic, could not perceive the gaping of this abyss without horror and alarm; already the anxiety of the French government, eager to close that abyss, had discovered the means of giving a new existence to the Cisalpine republic, by bottoming its liberties on a more solid basis; but nice even to a scruple, it wished that you yourselves should adopt the means of salvation.

It is in order to fulfil these intentions, Citizens Legislators, that I have here called you together; that I have exhibited the deplorable situation of your country, and that I have invited you, with a fraternal zeal, to discover the best means of saving and rendering it more happy.

As the representative of an allied power, and warmed with the spirit which animates the French government, I only undertook merely to hint such advice as is generally given by one friend to another. It appeared to me, that it was your duty alone to adopt the measures which are so urgently called for in the present alarming crisis, by the safety of the people whose destiny is entrusted to your hands.

You are well acquainted with the dangers of your situation; you have acknowledged the extent and magnitude of the evils which I have pictured out to you; you have approved the salutary measures which I suggested, and nevertheless you have refused to put them into practice. You did not imagine yourselves to be vested with sufficient power to enable you to secure the liberty of your fellow-countrymen, and to consolidate their happiness; in vain did I cite the examples of the French nation and of its representatives, amidst the memorable events that have founded or saved the French republic; in vain did I assure, that every thing becomes

becomes legitimate under the imperious law of necessity. These powerful considerations were unable to determine your resolutions ; you have declined the honour of being yourselves the regenerators of your country.

It were cruel, however, that the people should become the victim of your scruples ; but this surely is not your intention, and I willingly do you the justice to think so. Your uncertainties, your hesitations, may, notwithstanding, prove fatal to the people. Well ! the French republic stands forward, and is ready to hold out an auxiliary hand to her friend. It is she who, in my person, takes upon herself to rescue her from the disasters with which she is threatened, and to prepare and forward her prosperity. When the Cisalpine people behold the re-establishment of order—when they see economy substituted to a system of financial dissipation, and the cause of liberty strengthened and confirmed, they will doubtless do justice to the purity of the motives that actuate her ally, and will one day gratefully acknowledge this new mark of friendship and attachment.

In consequence of this determination which you, Citizens Legislators, have compelled me to adopt, I openly declare, that I am now about to produce changes both in your constitution and in your government, in your internal legislation and administration ; for there are to be found the primary causes of all the disorders which you yourselves so bitterly lament : nor let it be imagined that this step in the least infringes on your independence ; on the contrary, is it not doing it homage, to prevent its being committed and exposed ? And what means have you of preserving it, if the disorders that surround you deprive you of all vigour ?—shall you be independent when you shall be no more ?

I will now repeat the reasons that render these reforms indispen-
sably urgent.

The legislative body of the Cisalpine republic has seen the number of its members increase to two hundred and forty ; this degree of representation bore no proportion whatever to the extent and population of the republic. The Cisalpine people were represented in a twofold proportion more than the French people—the freest of the globe ; that political superfluity was supported at the expense and detriment of the other departments of government—two hundred and forty crowded together to no purpose in the legislative assemblies, while the administrations, the tribunals of justice, were deprived of the light of their talents ; moreover, such an excess in the representation was a very heavy burden upon the people, whereas it is from the contribution of the people that the legislators and all the public officers derive their salaries. It is our duty to ease the people by diminishing the expenses of the state. The national representation should be re-established on its true foundations ; the number of one hundred

and ten deputies is the nearest proportion to the population of the republic.

I therefore, Citizens Representatives, deem it my duty to reduce to eighty the number of members that are to constitute the Great Council, and to forty the number of those who are to constitute the Council of Ancients.

I have already observed, that the disorders, the dangers, the evils that attend your republic, originate in the incoherence of the social organization, in the quarrels that had previously arisen between the two supreme powers respecting the extent of their authority, and in the civil discord that sprung out of those contentions. It is therefore upon the social organization that a reforming hand is now to be set to work; it must be reconstituted, and receive more solid foundations and juster proportions: the different authorities in their mutual relations to each other, call for more consistency, and each in particular for more energy. In the crisis in which you are now placed, it is impossible to wait for the period fixed for revising them. Such a delay, during which the reign of anarchy must be prolonged, would prove fatal to liberty.

It is therefore indispensably necessary to make several changes in the constitutional act: the French government pays as much respect as you can to the fundamental laws of free nations; but the constitution by which you are directed, is nothing more than a kind of military ordonnance, which the nation has not yet sanctioned, neither by its immediate acceptance nor by its suffrage for nominating to the different public employments. It therefore cannot be regarded as a definitive plan of government, but as a preliminary essay, which experience has demonstrated to be vicious in many particulars. It is but candour to confess it—the French constitution, when squared on the rule of the Cisalpine, is disproportioned to the extent of that republic; but, while it proves excellent for the great nation, it would overburden and oppress you—it would be the armour of a man on the body of a child; it crushes, instead of protecting it. The Cisalpine constitution has created two supreme powers, which, without fixed rules, or sufficient means, have permitted the public authority to become vilified and degraded in their hands.

The great number of your territorial divisions had multiplied your administrations, your tribunals, and the agents of every kind. All these public officers were to be paid, as if they had to act in a much more extensive circle: it was by these means that the expenses of the internal administration had swollen to immense sums, evidently beyond the means of the people. The amount of the money in specie which it was necessary should be paid every year in salaries for so many employments, was lost both

with respect to the other branches of the public service, an agriculture, for manufactures, and for commerce ; in a word for every thing that is connected with the national prosperity

The tree of liberty must have decayed, since, in order to rise with due abundance one of its branches, its sap was exhausted, and every other branch was to wither and dry up is now necessary to return to the genuine principles of political economy.

You are witnesses, Citizens Representatives, of the disorders to which these defects every day gave rise. You cannot recollect the lamentable divisions that have but too frequently broken out between the Councils and the Directory. If powers had been more distinctly separated—if their respective tasks had been better regulated, we should not have witnessed these scandalous proceedings, and the public administration would not have so laboured throughout all its departments.

While the Councils were thus engaged in these contentions they could give no salutary effect to the laws which they called upon them to enact, and the Directory neglected executing those that were enacted. Already the internal authorities lost all subordination ; the superintendence of the public service was delivered over to ignorance or to fraud ; the body of citizens split into parties, in imitation of their magistrates ; the law remained without vigour ; the republic was nothing more than a mere name ; and anarchy, the most horrible anarchy, stretched wide its destructive arms over your country. This deplorable situation still continues at the moment I am writing.

It is of the most urgent necessity to devise a speedy remedy to the evils, the picture of which I have just been drawing. The French government imagines it has discovered this remedy, proposing to you a constitution bottomed upon the same principles, and which admits nearly the same distribution of powers but which at the same time must prove far more vigorous and durable.

Men of enlightened understandings had pointed out with minute precision both the defects and the advantages of the constitutions that of late years have been established, that it was a matter of no difficulty to exclude from this last political code the imperfections of those which served as a model to its framers.

You will doubtless be sensible, Citizens Legislators, that wisdom and the disposition which obliges every individual to be a citizen, to pay a certain contribution, to maintain a part of the expenses of the state before he enjoys his share of its enjoyments ; nor can the maintenance of order be effected but by those who have some interest in preserving it.

The right of citizen, the most precious and the most honourable of all rights, had been lavished upon foreigners with a perilous prodigality; but that facility is now checked, and you also will undoubtedly be of opinion, that previous to obtaining so signal an advantage in a state that is not one's natal spot, certain pledges ought to be given to the country that adopts; nor can that country acquire these pledges and that security but by a series of actions, and not by a single individual act. The enemies of the republic might too easily make an ill use of that inconsiderateness, by cherishing within its bosom, under the pretext of former persecutions, both traitors and spies; in fine, foreigners that are really persecuted in their respective homes, ought to be well satisfied to meet with an asylum and protection in another country.

Less frequent elections will be productive of a double advantage—that of giving more connexion and consistency to legislative plans, and settling a system of administration that will less frequently call away an agricultural people from their useful labours.

By bestowing upon the Executive Directory a greater degree of power and consistency, you will easily perceive that the motions of the political machine will henceforward be less complicated, and consequently more easy, and productive of more immediate advantages. You will not have to apprehend that they give rise to serious inconveniencies or real dangers to the country; for you know that the legislature is vigilant, and will always check the usurpations and correct the abuses of power.

Nor should I find the least difficulty in justifying every article of this constitution: it is in some measure the fruit of experience; it is the most perfect and complete condition of your present constitution; it is even the perfection of the Roman constitution, which might already be considerably amended in its representative system.

By giving, in fine, more energy and consistency to the different departments of government, it guarantees in a surer manner equality, liberty, security, those rights so justly dear to man, and which are at the same time the basis and the essential conditions of the social contract.

Swayed by motives thus powerful, I feel, Citizens Legislators, that I confer the most precious favour on your country by giving it, in the name of the French republic, and by order of the French government, the new constitution, which I annex to the present. This constitution I offer you, in order that it be immediately substituted in the room of the former one: I entreat you to acknowledge it as the fundamental law of the state, and to present an address to the Cisalpine people, announcing to them that you are fully sensible of its advantages—that this is the constitution

tution that must henceforward be their rule—and that it must be executed and respected by all the existing authorities and by every citizen.

I also transmit to you, Citizens Legislators, the new territorial division of the Cisalpine republic. This reduction of the number of departments, the necessity of which was so long felt, was made without the least regard to local interests, and the suggestions or prejudices of individuals.

It is necessary that it be adopted and executed in like manner, in order to prevent the numberless remonstrances and endless discussions of those interests and those prejudices which are always hostile to the general good.

Three other laws have been prepared—one for the organization of the legislative Councils, for their internal regulation, and for the form of their deliberations. You will more especially observe, that it fixes the number of deputies that each department shall send to each of the two Councils at the next elections, and the mode in which the two Councils are to be renewed by the admission of a new third.

The second law respects the organization of the administrative bodies.—It determines, in a summary manner, the functions of the departmental administrators, and likewise those of the municipal administrators. It establishes the power of the Directory, for the first time to nominate to the places of the administrations, until, in the eighth year, the electoral assemblies shall renew them by the admission of a third.

Lastly, the third law has for its object the organization of the tribunals, nor are the circumstances that attend it less interesting than the former. You have to organize the justice of the peace, the civil and the corrective tribunals; the criminal tribunals, and those of cassation and of executive justice. You have to determine which is the authority that shall choose your public judges and accusers, functions which they are to discharge till the election of the eighth year. The law which you are to adopt prescribes the mode of these nominations in a clear and precise manner; and through the provisions of this law, and of the two preceding ones, your Executive Directory will be enabled to put into immediate activity all the departments of your government, and to make the Cisalpine people experience the happiness of an organization purely republican and constitutional.

It is to give you a complete system of legislation that may make every citizen sensible of the advantages of this new organization that I call upon you to choose from among your own body eight commissioners, upon whom you will impose the task of preparing this great work within the present month. Such is the intention of the French Executive Directory. It does not even for
a moment

moment lose sight of the interests of your republic ; it perfectly collects that it has given birth to your republic, and that it ought for a length of time to shield it under its parental protection, but especially during this first year. It would also have ardently wished that you had given to the Cisalpine people the great law, that is, to regenerate all the departments of your financial system ; it has enjoined Citizen Faypoult, its commissary, to transmit to you the provisions of that law ; but this citizen has seen with regret that, though he may be able to prepare the principal provisions of it, yet there are some of them for which he will be obliged to resort to the assistance of the members of your financial commission.

There is another law which existing circumstances render necessary, and which ought to meet with no delay or obstacle in its execution ; you will find that it follows the other laws : this law is relative to clubs and journals.

The hero to whom the fair portion of Italy which you inhabit owes the recovery of its liberty, warned and instructed by the calamities of his own country, had the sagacity to foresee that amid a well-natured and generous, but a warm and impassioned people, political societies would degenerate into seditious clubs, and the unlimited liberty of the press would be so misused and corrupted, as to become an unbridled licentiousness, equally fatal to the honour of your fellow-citizens and to the public tranquillity. In order to rescue you from these calamities, that extraordinary man had given you two laws ; one left it at the discretion of the legislative body to shut, as the times might require, the societies known under the name of constitutional circles : the other submitted to the immediate superintendence of government all writings that issued publicly from the press.

As soon as Buonaparte quitted Italy, the legislative body repealed these two laws. This was the signal of your intestine dissensions. To the sacred love of liberty, which hitherto had animated your orators and periodical writers, succeeded the war of private passions, jealousy, hatred, revenge. The most bright citizens were blackened with calumnies—the pure spirit of your real patriots was insulted and blown upon by every species of outrage ; and it is thus that liberty is made odious, even to those by whom it was at first idolized.

Lay hold, Citizens Legislators, of this memorable circumstance, in order to put an end to all these excesses. One of the laws now held out to you furnishes you with the necessary power : lay hold of and imitate the example of the French republic ; like you, it has groaned under the despotism of licentiousness ; its best citizens daily fell victims to the poisoned shafts of calumny ; though on the brink of destruction, it summoned up sufficient vigour to vindicate itself from that tyranny, and

and since the 18th Fructidor it enjoys the blessings of a wife and well-tempered liberty, the inexhaustible source of every felicity.

Every man may utter, write, and publish his thoughts—but no man has the horrid right to propagate falsehood with impunity, or morally to assassinate his fellow-citizens, by disturbing their peace and embittering their happiness.

The French republic presents you with a law which it has put to the test of experience upon itself—that law puts clubs and periodical writings under the superintending eye of government.

Citizens Legislators, in order to place your republic in a more imposing attitude, and give it a more firm and rapid march towards the happiness of the people, it is not enough to have perfected your institutions; you must also confide the reins of the state to hands more vigorous than those that have hitherto guided them. The work of regeneration would be incomplete, if, while it redressed measures, it did not also extend to men:—it is upon the wisdom and firmness of those who govern, that the stability of public institutions, the power of a state, the respect which it impresses upon its neighbours, and the general happiness of the people, depend.

It was the opinion of the French government that the men the most worthy among you of exercising the first magistracy of the state, were Citizens Adelacio, Alessandri, Lamberti, the present members of the Executive Directory; Sopranzi, ex-minister of police; and Luost, minister of justice.

This government, supported by a more vigorous constitution, and guided by more precise laws, will doubtless move on in unison with the Councils, and with a more quick and firm step towards the welfare of the republic.

It is by this last act, Citizens Legislators, that I shall close the extraordinary mission that has been entrusted to my care.

But I feel it my duty again to repeat, that I was charged with offering you the plan of this political regeneration merely in the form of an advice: I was at the same time authorized to adopt, of my own accord, such measures as I might judge necessary for the good of your country, but which your scruples would not have permitted you to enforce. Upon these scruples you have acted: you have hesitated respecting the extent of your power from the dread of calumny; you seemed desirous that it should be the French republic only that was to give effect among you to those salutary reforms, and a due degree of perfection to the laws which you hold from its hands.

I have acquiesced in your wishes; accept, therefore, those laws, accept them as a new pledge of the friendship of the French republic,

blic, and of the lively interest which its government takes in prosperity.

By means of these laws the Cisalpine republic feels itself constituted upon the most solid foundations; the two supreme powers are placed within their natural limits; the rights of citizens are forcibly asserted and secured; the representative system is formed, because it is simplified; the republican principles prevail and triumph over the sophisms and the calumnies of their detractors, because they will no longer involve consequences fatal to the tranquillity of the people; the enormous expenditure of the national administration is curtailed, the government is regenerated, useful codes, republican institutions, beneficent laws, are solely promised to the nation by its legislators.

I annex to this letter a list of the members that are to compose two councils; I likewise annex the new constitution and the organizing laws that accompany it.

It is now my desire that you give your approbation to the choice of the members of the Executive Directory.

I also call upon you, Citizens Legislators, to cause to be printed and published, as speedily as possible, the new constitution, the organic laws, and this letter which explains the motives of these changes.

(Signed) TROUVE.

PROCEEDINGS of the CONGRESS at RASTADT.

Decree respecting the Congress.

Ratisbon, Nov. 7:

THE declaration determined upon by the general Diet of the Empire, in consequence of a deliberation in the three Colleges, upon the decree of Imperial commission of the 18th June of this year, has been very humbly transmitted to his Imperial Majesty.

His Majesty has seen with particular satisfaction the patriotic sentiments manifested in that declaration, as well as the lively interest which is evinced in it for the accelerating of the peace of the Empire. He has at the same time deigned to consent to the execution of the instruction already determined upon and ratified, as well as the full powers necessary for the deputation of the Emperor, destined for the grand work of pacification; the former, with changes agreed upon by the states; and the latter comprising in it the immediate equestrian order of the Empire, conformably to the supreme intention manifested in the decree of Imperial ratification of the 19th November 1693.

His Majesty expects with certainty from the deputies of the Diet, to whom the Diet has just given so distinguished a mark of esteem.

OL. VII.

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confidence (and he exhorts them, in the most pressing manner, in the name of the dear country, in the name of the law, and in virtue of the Imperial authority), that, recollecting the importance of the duties of a deputy of the Empire, invariably faithful to the law, and to the preserving the principles of the integrity of the German Empire, they will effectually sustain with a generous sense of their duties, and with all German firmness, the common interest and good of the German country; and that, united with their supreme chief, they will favour and accelerate, with all their might the conclusion of a just and suitable peace, founded upon the basis of the integrity of the Empire, and of its constitution.

In this just endeavour, his Imperial Majesty, since the decree of commission of the 18th July of this year, has not discontinued his efforts to hasten the opening of a congress: and it is a great satisfaction to him to be able at length to announce to the general Diet of the Empire, that the town of Rastadt, already so celebrated in the history of this century, has been chosen for the holding of the approaching congress for peace.

To confirm still by deed his pacific wishes, and his sincere dispositions for the speedy re-establishment of public tranquillity, so generally desired, his Majesty, in virtue of the right which he has to execute the decisions of the Diet, determines that the states of the Empire shall send, without the shortest delay, to the place before mentioned, their deputies (recommendable, as his Majesty is induced to expect, by their constitutional mode of thinking, their rectitude and loyalty), in order that they may be able to proceed as soon as possible upon the great work, and that the congress of peace, expected with so much impatience, may be opened without the smallest delay: his Majesty, in his quality of supreme head of the Empire, has deigned to appoint, to assist at the congress, an Imperial minister plenipotentiary, the Count de Metternich Vienebourg and Beilstein, his privy counsellor and chamberlain, knight of the golden fleece, and of the grand cross of the order of St. Stephen.

Finally, his Imperial Majesty, after the proofs so multiplied and so convincing of his paternal benevolence, gives to the Empire the most affectionate assurance of his most energetic Imperial protection in the important affair of the pacification which is about to be treated for; a protection which the general Diet of the Empire demanded in so pressing a manner from his Majesty on the 11th of August of the present year.

But his Majesty thinks himself authorized on his side, and he regards it even as his duty, to demand from the Empire "the unanimous support and assistance, to which all and every one are obliged, by the tie of the Germanic union, by the interest which all the states ought to take in the fate of the German country,

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and by their obligation, which ought to be the most dear to them, to watch over the preservation of the body politic of Germany, and its constitution.

*Copy of the general Powers for the Deputies of the Empire, appointed to carry on the Negotiations for Peace at Rastadt *.*

WHEREAS the Electors, Princes, and States of the holy Roman Empire have thought proper to choose from amongst them, those who, on behalf of the Empire, are to assist and to attend to its interests at the negotiations fortunately agreed upon to conclude a just, convenient, lasting, and general peace, between his Imperial Majesty, our most gracious lord, and the German Empire, on the one part, and the French republic on the other; and whereas for this purpose they have been chosen and appointed from the Electoral College, Mentz, and Saxony; from that of the Princes on the part of the Roman Catholics, Austria, Bavaria, Wurzburg; from that of the Protestants, Bremen, Hesse Darmstadt, and Baaden; and from the college of the cities Ausburgh and Frankfort; therefore, by the consent and with the approbation of his Imperial Majesty, as supreme chief of the Empire, full powers are hereby granted them, forthwith to send their substitutes to the appointed place of the congress for peace, there to appear with the most illustrious Imperial plenipotentiary, and to discuss, transact, and resolve, and likewise to sign whatever may conduce to the restoration of a just, convenient, lasting, and general peace of the Empire, and in general to the common welfare and tranquillity of the country.

Now, whatever shall thus be transacted, resolved, and signed by the above deputies of the Empire, either jointly or in the case of illness, absence, or non-appearance of some by those who are present, together with the aforesaid Imperial embassy, the same shall be ratified by the whole Empire, within the stipulated time

* The deputies of the Empire having declared to the French plenipotentiaries, that their instructions prevented them from ceding the most considerable village belonging to the German Empire, and directed them to treat on the basis of the integrity of the Empire; the French plenipotentiaries replied, that this basis could not be admitted, and that new powers and instructions would consequently be necessary.

The French plenipotentiaries having thus rejected the basis of the integrity of the Germanic body, the deputies of the Empire requested the former to propose some other basis of the treaty to be negotiated, and remonstrated with them on the necessity of the concluded armistice not being violated during the interim that new powers and instructions were drawn up. But the French plenipotentiaries returned in answer, that Mentz would be taken possession of by the French troops; and that, until the deputies of the Empire had received full and unlimited powers to negotiate, no other basis could be proposed on the part of the French plenipotentiaries.

approved of, and inviolably observed; and the deputies of the Empire shall, at all times, as is fit in similar cases, be supported, and indemnified in regard of whatever they have done on this head.

Signed Ratibon, the 8th of January 1798,
Electoral Mentz Chancery.

The circular Letter of the Court of the Elector Palatine, to all the Ecclesiastical States and Principalities of the Empire, dated Munich, January 27, 1798.

THE views of France relative to the union of the Germanic territory on the left bank of the Rhine, with its republic, and the obtaining possession of it by force, hitherto principally known only by rumours, have, since the exchange of the full powers between the deputation of the Empire and French plenipotentiaries at Rastadt, been unfolded with more certainty, and give reason to fear that a very important blow to the Germanic constitution, and the possessions of the states of the Empire on the left bank of the Rhine, is approaching, an explicit declaration of the claims of the French republic having been made by the French plenipotentiaries at the congress now assembled for negotiating the peace of the Empire at Rastadt. The innumerable important consequences of such a demand to all Germany cannot escape your penetration. You are well aware of the value of those territories, and that the separation of them must prepare the way for the entire destruction of the Germanic constitution, and occasion the greatest confusion among the states of the Empire, since indemnification for the loss that must be sustained, can only be effected by the secularization or alienation of considerable states on the right bank of the Rhine, which must produce the greatest confusion in the Germanic constitution. To prevent an evil of such magnitude, which results from the present feeble state of the Empire, compared to France, it appears to us that only one method remains, which is, for the Germanic states to form a close union among themselves, and request the support of his Imperial Majesty, as head and protector of the Empire, together with that of other powerful princes of the Empire, in this time of pressing necessity. We have ourselves therefore had recourse to the means now recommended, and made application to his Imperial Majesty, to the Emperor of Russia, and to their Prussian and Britannic Majesties; and we do hereby make the same communication to the Electors and Princes of the Empire, and invite them to take similar steps, from which we may expect a favourable result,

Substance

Substance of the Answer of the Deputation of the Empire to the first Note of the French Plenipotentiaries, demanding the Boundary of the Rhine, &c.

1. THAT they had expected from the justice and magnanimity of the French government, that they would have proposed, as the basis of the treaty, the stipulations in favour of the Empire which were made in the preliminaries signed at Leoben.

2. That by these preliminaries an armistice had been stipulated till the period of a definitive peace ; and they had reason to expect that all hostilities were to cease, and that all contributions and requisitions were to be discontinued.

3. That in the territories of the Empire occupied by the French troops, property still continued to be seized and sequestered under pretence of emigration, although the laws of nations forbid the application of French laws to the cases of the individuals concerned, and that they have reason to expect from the justice of the French government that these oppressions would be prohibited.

4. That they should likewise wish that the French government would disavow the project of republicanizing and changing the forms of government in certain states of the Empire occupied or not occupied by the French troops.

5. That the indemnification proposed for the powers who have possessions on the left bank of the Rhine, and the secularization of the electorates or bishoprics, is impracticable.

Answer of the French Plenipotentiaries.

THE undersigned have received the answer of the deputation of the Empire to the proposition of the Rhine being the boundary of the French republic. In transmitting it to their government, they cannot avoid observing, that it was founded on a basis essentially wrong. All Europe knows that the Empire declared war against the republic at a time when it had the sincerest desire and the strongest interest in preserving peace.

They cannot here avail themselves of the declaration, that the republic would never wage war for the purpose of aggrandizing itself by conquest, a declaration which does not in any manner exclude lawful indemnity, particularly in the case of an unjust aggression, and which does by no means take away the right of providing for its security in giving to it a fixed boundary. On the other side it is evident, that the constitution of the Empire cannot be in the least degree altered by the diminution of its territory.

In short, the preliminaries of a treaty in which the German Empire is not even a party, cannot, with any shadow of reasoning,

ing, be brought forward, particularly when these conditions have been replaced by those of a definitive peace since concluded.

Nevertheless, it is upon that basis that the answer of the deputation of the Empire has rested: the motives therefore upon which the demands of the French republic have been founded, exist in their full force. The indemnity exacted by the republic is lawful; its security requires the Rhine for its boundary: the tranquillity of the Empire still more loudly calls for these limits.

The deputation of the Empire has been compelled to acknowledge, in the most formal manner, that the republic will not gain any considerable increase of power or of territory by the acquisition of the Trans-Rhenane provinces, whether they are considered in the light of magnitude or extent, or in that of language, manners, or modes of thinking. From this observation it unquestionably results, that it cannot be from a desire of aggrandizement that the French republic wishes the Rhine to be its boundary, and that its demands rest upon a motive much more imperative, a motive common to the two powers, that of providing by an unalterable boundary, for their future tranquillity.

This, then, is the matter now to be considered, and not the series of questions which the deputation of the Empire should appear to wish to substitute for the real and true object of discussion. The undersigned will only make one more observation which is, that a speedy acquiescence in the demands of the French republic, the subsequent examination of collateral questions, and the conclusion of a solid peace, will destroy all pretext for reciprocal complaints; it is the only mean of proving that they wish not only in appearance, but in reality, to put an end to the calamities of war.

The ministers plenipotentiary of the French republic,

(Signed)

TREILHARÉ
BONNIER.

Rastadt, Jan. 27.

Substance of the Answer of the Deputation of the Empire to the above

THE deputation learn with much pleasure that their first declaration relative to the demand of the boundary of the Rhine has been sent to the French government, as the latter will undoubtedly feel all its importance. The French ministers cannot at the first glance discover that importance, because the deputation at first only state their principle succinctly, reserving the explanation and development for future discussion. They state for instance, without adducing the proofs, that the German Empire did not begin hostilities—that, on the contrary, it was first attacked. They shall here give a proof of this assertion, that as early as 1792, the territory of the Empire was treated in a hostile manner, without any previous declaration of war, by the

Custine, who seized upon several circles. The declaration on the part of the Empire afterwards took place only in measure of defence, in consequence of the decision of the 22d of March 1793.

The deputation then conceive that they have no reason to add that the boundary of the Rhine will be insisted upon, would dismember almost entirely from the Empire several besides that of Bourgogne—would strip of their possessions the Electoral college, as well as a great number of states of the Empire—and would completely annihilate the Germanic constitution. It is certain also, that France, sufficiently powerful of herself, would gain less by the loss of the provinces situated on the left bank of the Rhine than by the glory which would accrue from her political union, and from fixing a line of military demarcation. Few people can with difficulty believe that the Rhine, which is a fluid place has sinuosities, or changes its bed, and which is a standing land, can be an insurmountable boundary. They can believe that Germany even desires this boundary. The deputation likewise feel themselves here called upon to repeat, that the preliminaries of peace at Leoben ought to avail the same as the Emperor concluded these preliminaries in so far as they regard the integrity of the Empire, in virtue of the decision of the Diet, who directed him to make the first overtures of peace, and they were solemnly accepted by the latter; and instead of rejecting these preliminaries in any respect, the treaty of Campo Formio confirmed them in the most formal manner. In a word, the French are desirous to concur in accelerating peace, in putting an end to the complaints occasioned by the requisitions, contributions, and other burdens which continue to be imposed upon the territories of the Empire. But as it is of great importance that these practices should speedily cease, and that the preliminary should in this matter be the rule, the deputation suggest that the French ministers should, as soon as possible, make a representation to their government upon this subject, as well as the observations relative to the boundary of the Rhine.

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of the Note of the French Deputies, in Answer to the Reply of the Deputation of the Empire.

THE reply of the deputation, far from affording the contrary motives for modifying their first proposition, is, on the contrary, calculated to make them sensible of the propriety and necessity of it. The open protection given to the united forces who threatened the frontiers, notwithstanding the remonstrances, was a first act of hostility against France, which

which certainly wished for peace, and had an indisputable interest in maintaining it. The constant refusal to disperse the assemblage of those implacable enemies, compelled France to have recourse to measures of self-preservation; but the Empire, far from seeking to suspend them by granting an equitable satisfaction, concluded with declaring the existence of hostilities. It has never been assumed, nor wished to be assumed, that the integrity of the Empire should form the basis of peace between the Germanic body and the French republic. To think otherwise, would be an excess of credulity. Thus, the 20th article of the treaty of Campo Formio, the only passage where mention is made of a pacification between both these powers, merely states, that a congress shall be held at Rastadt.

With respect to the other objects mentioned in the note presented by the deputation, the ministers plenipotentiary of the French republic do not think themselves justified to enter into the discussion of those collateral considerations, considering that it could only tend to postpone the termination of the war. They conclude with declaring to the deputation of the Empire, "that it shall be responsible for the consequence that may result from its refusing to adhere to a basis, just, suitable, beneficial to both states, and the adoption of which goes to prepare an indemnity for those princes on the right bank of the Rhine who have suffered in their possessions on the left."

15th Pluviose, 4th February.

Substance of the Note of the Deputation of the Empire, in Answer to the Note delivered by the French Plenipotentiaries on the 4th of February.

THAT, in order to shorten the negotiation, the deputation declare that they wish to know, without delay, the whole extent of the sacrifices required of the Empire after the termination of this unfortunate war; that, in acquainting them with all the extent of these sacrifices, it is particularly necessary to state the modifications, and the fate which is reserved for private domains and property in the countries required to be ceded; that the simple provisional conclusion of a basis of peace would not hasten the definitive conclusion, as at any time previous to the ratification on the part of the Emperor and the Empire, the principal question may be recurred to; that, on the contrary, if France will now make a clear, just, and equitable proposition, the deputation may then declare themselves in such a manner as shall contribute to the speedy conclusion of a peace: that, meanwhile, the deputation would regard as a first proof of the pacific sentiments of France,

Summe; the
 their right has
 have suffered so
 10th February.

Reply of the French Plenipotentiaries to the Note of the 10th of February.

22d Pluviose (Feb. 10).

THE ministers plenipotentiary of the French republic reply to the note of the deputation of this date, that nothing could be more clearly expressed than the manner in which they stated their first proposition. The republic, they say, demands that the course of the Rhine be the boundary of the two states. Such is the invariable wish of the French government. Can it be doubted when it is transmitted by the ministers of the republic? This is not the moment in which the value of the objects ceded ought to be calculated. The deputation of the Empire is not agreed as to their importance; and nothing can be more indifferent, since the same basis is necessary under every other hypothesis. It is still less necessary to inquire what possessions ought to remain to the princes who lose their sovereignty. The domains of princes who enjoyed the sovereignty, must, as in similar cases, be considered the property of the nation to which the cession is made. To enter into the discussion of such complicated questions would be to retard rather than to accelerate the conclusion of the negotiations. The cession of all that is beyond the Rhine is the basis of the treaty.—Indemnity on the right bank is its consequence. Valuations, the manner and the application of the indemnity, are subjects for future consideration. Why discuss subsidiary questions before the general principle be acknowledged? The declared wish of the French government for peace cannot be misunderstood. It is notorious that the ministers of the French republic hastened to repair to the congress; that they brought with them sufficient powers for carrying on the negotiation; that they stated their proposition with frankness the first moment the deputation of the Empire were sufficiently authorized to hear it. And in order that no doubt may remain with regard to their desire for accelerating the conclusion of a treaty of peace, they will continue carefully to avoid every thing which, not tending directly to that object, might retard the progress of the negotiation, by bringing forward foreign and inferior questions, which would only serve to prolong the miseries of war, by giving the evil-disposed time to prepare wicked coalitions and criminal intrigues. The ministers plenipotentiary of the French republic refer themselves completely to their note of the 15th Pluviose, and persist in declaring the deputation of the Empire responsible for refusing, or

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making evasions equivalent to refusing, to agree to a proper and necessary basis.

TREILHARD and BONNIEI

Answer of the Deputation of the Empire to the Note of the French Plenipotentiaries, of the Date of the 10th February.

IT was hoped, in consequence of the wishes contained in the note of the 10th of this month, that the full extent of the conditions of peace was known. But the counter note of the same day does not correspond with that hope, for in that they insist solely upon the proposition already made on the 27th of the last month by the French legation, to establish a basis of pacification. Although it is not intended to resist any longer the reiterated demand to establish this previous basis, nevertheless the French ministers, in weighing attentively the important reasons advanced upon this subject in the preceding notes, will judge how impossible it is to adopt a basis in its full extent, upon which they demand that the banks of the Rhine shall be the frontier of the two states.

In order to give the strongest proof of condescension, and to arrive as soon as possible at the conclusion of a peace, they think (however painful this resolution may be to the deputation) that they ought not to hesitate in making great sacrifices. If then the French government will moderate their propositions for peace, as is expected from their equity and justice, and will demand only half the territories of the Empire situated on the left bank of the Rhine, the negotiation may be established upon this basis. Then France will only have to declare what part shall be the object of cession, subject to the necessary modifications, and having all possible regard to the establishment of a military line. After this frank offer, the French legation cannot doubt but that the deputation of the Empire are sincere in their desire for the conclusion of peace; and consequently the French government can have no difficulty, in the interval, of observing the armistice most scrupulously, and of withdrawing their troops from the right side of the Rhine, as has been repeatedly desired.

Rastadt, February 19.

Answer of the French Plenipotentiaries to the Note presented by the Deputation of the Empire on the 19th February.

THE note of the deputation of the Empire presented yesterday to the ministers plenipotentiary of the French republic, on the part of the Count de Metternich, minister plenipotentiary of his Majesty the Emperor, proposes a plan of modification, in every point of view inadmissible to the demands made by the French republic. The partition proposed by that note would create many inconveniences to limits marked out by nature, without offering

offering any advantage which could balance these inconveniences. The grounds upon which the deputation of the Empire have hitherto contested the proposal made by the French republic, are as incompatible with a partial as they are with a total cession. Consequently the offer of a half is a formal acknowledgment of the invalidity of these reasons. It is impossible to subscribe to the cause which induces the deputation to contest the other half, particularly when it is recollected, that in their first notes they suggested, that these possessions were of little importance. Besides, it is notorious, that all the princes and states having possessions on the other side of the Rhine, have expressed their wishes for a cession, of the necessity of which they are convinced. Thus, it is only private and obscure interests that can oppose the general wish, which calls loudly for a peace, after a long and cruel war.

The French republic owes it to the general wish, she owes it to herself, not to contribute to the prolongation of those evils which affect humanity, by tolerating those delays which bad faith makes use of to form new coalitions. The ministers plenipotentiary declare, then, that they persist more strongly than ever in the whole of their demands. They demand a speedy and positive answer, upon the basis long since acknowledged and consented to by the parties the most interested, and which leaves to the republic, in fact, no more than she possesses, and which secures the future tranquillity of the two states.

It is for the members of the deputation of the Empire to consider, whether they will render themselves responsible for all the calamities which must be produced, either by refusal or by delay.

(Signed) TREILHARD.
BONNIER.

Rastadt, Feb. 20.

Declaration of the Prussian Ministers, respecting the Cession of the left Bank of the Rhine.

Rastadt, February 19.

THE undersigned plenipotentiaries of his Majesty the King of Prussia at the congress at Rastadt, do not hesitate to declare, in the name of their high constituent, that his Majesty has for these several years zealously endeavoured to obtain for Germany a peace, as favourable as circumstances will allow. His Majesty entertains still the same ardent wish; he is also of opinion that this peace cannot be too soon accelerated, not only because it will relieve several parts of Germany from the expenses of the war, by which they are exhausted, but also because it will secure the whole Empire against the disasters and incalculable consequences with which it is threatened, by the continuation of the present state of things.

Considering that, according to the negotiations which have

taken place between the deputation of the Empire and the French embassy, it might happen that, in order to attain a peace, so earnestly desired by the nation, and so desirable for humanity, the deputation of the Emperor and of the Empire might think it necessary to accede to the basis of peace proposed by France, namely, the cession of the left bank of the Rhine—the undersigned plenipotentiaries declare, in the name of his Majesty, as co-state of the Empire, that, notwithstanding his paternal feelings are severely hurt by the loss of subjects who manifest so faithful an attachment to him, it is not his intention to make an exception with respect to his dominions situated on that side: but that, by the cession thereof, he will make a sacrifice to the public welfare and the restoration of peace, taking, however, as much as possible, the necessary measures of precaution, for the happiness and safety of the property of the inhabitants, and on condition that his Majesty receives a just and equivalent indemnification on the right banks of the Rhine.

(Signed)

COUNT DE GOERTZ.
DE JACOBI.
KLOENL.
DOHM.

Rastadt, Feb. 14, 1798.

ON the 3d of March the deputation of the Empire presented another note to the French ministers, in which they repeated the arguments made use of, and the proposition contained in their answer of the 19th of February.

Answer to the Deputation of the Empire, to the Note of the Deputation of the 3d March.

THE undersigned have received the note of the deputation of the Empire, addressed to them yesterday evening by Count Metternich, minister plenipotentiary from his Imperial Majesty: the following is their answer. The French republic has declared in the outset of the negotiation, with that frankness from which it will never depart, the basis on which alone peace can be made. The propriety, justice, and necessity of it have been demonstrated in the preceding notes, and the common interest of the two states requires it. The French republic expected that it would have received an answer with the same frankness; banishing all shift or evasion. An end must be put to this discussion. The ministers of the French republic, therefore, require the deputation of the Empire to declare positively whether it will or will not accede to the basis proposed.

(Signed)

TREILHARD.
BONNIER.

*Rastadt, 14th Ventose (March 4),
6th year of the French republic.*

Substance

Substance of the Conclusum of the Deputation of the Empire on the 12th March.

THE deputation of the Empire consent to vote the cession of the left bank of the Rhine to the French, on the following conditions :

1. All the French troops on the right bank of the Rhine shall immediately evacuate that country, and impose no farther requisitions:

2. The French republic shall make no other pretension or demand of any nature whatever, except the cession of the countries situated on the other side of the Rhine.

3. The negotiations shall still be continued according to the method proposed, relative to the articles remitted to the French ministers, with the note of the 3d of this month.

And the deputation "hope that the French government will consent to make an exception in favour of that part of the territory of the Empire on the Lower Rhine, which extends from the source of the Roer to the junction of the Maese with the Rhine; and that it will not refuse to leave this portion of that territory to the Empire."

To M. Baron Albini, Directorial Minister of Mentz to the Congress at Rastadt.

THE ministers plenipotentiary of the French republic were always of opinion, that the deputation of the Empire, impressed with the necessity of a fixed and invariable limit between the two states, would frankly, and without restriction, accede to a demand which could not be obstinately combated but through passion and interest. They see with satisfaction, by the *conclusum* of the 12th March, of which the minister plenipotentiary of his Majesty the Emperor has transmitted them a copy, together with the note of yesterday, that their hope has not been disappointed.

They may then labour efficaciously in establishing the happiness of the people, by employing themselves, without hesitation or delay, in preventing for ever the scourge of war, by a speedy pacification, the first consequence of which will be the return of the troops into the interior. To accelerate this great work, it will be first necessary to regulate the mode of giving indemnities to the states which have lost upon the left bank of the Rhine. The plenipotentiaries of the French republic find the basis of those indemnities in secularizations. The deputation of the Empire will be easily convinced that this basis is not less necessary than that already adopted respecting the limits. It will undoubtedly be superfluous to observe, that it is not a question to value, at this moment, the losses which may afford room for indemnity, nor to point

point out the objects which may be employed for that purpose they ought not, nor can occupy themselves upon the application of the principle, until the principle itself is recognised. The only will they (to make use of the very expressions of the deputation) determine what is necessary with respect to the articles joined to the note of the 3d March, in which, in fact, they find some admissible dispositions.

(Signed)

TREILHARD and BONNIE

Rastadt, 23d Venice (15th March).

Note of the Deputation of the Empire in Answer to the Plenipotentiaries' respecting Secularizations.

THE deputation of the Empire had believed that the most proper mode of proceeding, and best adapted to accelerate the conclusion of a peace, was to agree previously on every thing necessary to be determined to fix the future limits between the two nations, before they should proceed to discuss the other articles of the peace. But as the French ministers, in their last note, had declared, that they have already answered the propositions of the deputation, and that they cannot engage in any farther negotiation relative to this object, until the deputation has declared its consent to the mode of indemnification proposed; and that, without this declaration, it is absolutely impossible that peace should be concluded; but that in the subsequent negotiations, attention will be paid to whatever may be just and conformable to the interest of the two nations: the deputation, to hasten these negotiations and the final conclusion of the treaty, sees itself obliged to consent to the indemnities demanded, by the mode of secularizations, for the losses which shall be sustained on the left bank of the Rhine and to enter into new negotiations on this subject, in such a manner, however, as to proceed in it with all the precautions and restrictions which are essentially necessary for the maintenance of the Germanic Empire in all its relations; as well as for the establishment and security of the well-being of the states, members and subjects of the Empire. But, as in the fixing of each indemnity, it is principally of importance to determine the amount of the losses sustained; it is expected that the French ministers will return a precise and voluntary answer to the three previous points contained in the note of the 12th of March; and that they will likewise make no difficulty to declare themselves on the eighteen articles transmitted to them on the 3d of March. The deputation, therefore, conceiving that it has advanced in every way its power towards the absolute conclusion of peace, expects that the French government will at length grant the wish it has so often urged in vain, by withdrawing the troops which still occupy

in great numbers, the right bank of the Rhine, and thereby relieving the inhabitants of that country from an oppressive burden.

Rasbadi, 5th April.

Reply of the Plenipotentiaries to the foregoing Note.

THE deputation of the Empire having acknowledged the necessity of secularization, in order to provide indemnifications for those states which have lost possessions on the left bank of the Rhine, and having acceded to the principle of secularization, proceeds in its note of the 16th of Germinal (April 5), to express a wish, that the ministers plenipotentiary of the French republic would declare themselves relative to the second proposition in the note of the deputation of the 21st of Ventose (March 12), and the eighteen articles annexed to their note of the 13th of Ventose (March 3). It is likewise required that the troops of the republic on the right bank of the Rhine may be withdrawn. The ministers plenipotentiary wish to declare themselves relative to these several demands. With respect to the last, they repeat what they have already asserted, that the relinquishing of military positions can only be the consequence of a peace finally concluded, and therefore there is as yet no sufficient reason for withdrawing the troops from the other side of the Rhine. With respect to the second proposition contained in the note of the 21st of Ventose (March 12), the ministers plenipotentiary of the French republic answer, that they have already said sufficient to satisfy every reasonable person, as they have declared, that in the further progress of the negotiations they will only listen to what is just and agreeable to the common interests of both nations, by which they have declared that such only shall be the demands on their side. Lastly, with respect to the articles annexed to the note of the 13th of Ventose (March 3), the ministers plenipotentiary of the French republic remark that these articles by no means appear to have been framed with a view to accelerate the conclusion of peace. Some of them can never have been objects of serious doubt on the part of the deputation of the Empire, such as, for example, the security of private property, the free exercise of religious worship according to the regulation of the laws, and oblivion of all opinions that may have been expressed during the war. Others of these articles, however, are evidently incompatible with the sovereignty of the republic and its constitution. The undersigned can never sufficiently express their surprise that any persons should ever have entertained a doubt of some of these articles, or have resolved to require the fulfilment of the others. In the present situation of circumstances, the true mean to hasten the negotiations, is to make exertions

exertions for the application of the basis of indemnification. Probably it would be most conducive to this end, should the deputation of the Empire lay down some general rules to determine the fate of those states (*des titularies*) which are to be abrogated, the no doubts may remain with respect to the principles of reason and prudence which guide this important operation.

*Rasbadt, 19 Germinal (April 8th), the 6th
year of the French republic.*

(Signed)

TREILHARD.
BONNIER.

Reply of the Deputation of the Empire to the last Note of the French Ministers.

THE deputation of the Empire has observed in its late note that in order to fix the indemnities, it will especially be necessary to know the quantity of the losses; that it therefore expected that a precise and determinate answer would be returned to the second point previously stated in the note of the 12th of March, and that the French ministers would in like manner make no difficulty to declare themselves relative to the eighteen articles transmitted on the 3d of March. The deputation added, in the same note that it entertained the firmest hope that the French troops would be withdrawn as soon as possible from the right bank of the Rhine.

The contents of the note of the French ministers of the date of the 19th Germinal (8th April), by no means correspond with these just expectations; for with respect to the withdrawal of the French troops, it was stated, that no sufficient motive could exist before the absolute conclusion of peace. As to the second previous point, it was only explained in a manner which could not be entirely satisfactory, by declaring indeterminate that it must be understood from preceding declarations, that on such demands as might be accepted would be made on the part of France. With respect to the eighteen articles transmitted on the 3d of March, the French ministers remark, that some of them can admit of no doubt; and assert, that others are entirely incompatible with the sovereignty and constitution of the republic, without making any mention of the rest. They have concluded the proposal to labour for the application of the basis of indemnities, and previously to lay down some general rules to fix the fate of those which may be suppressed.

The deputation of the Empire perfectly recognises the just considerations which may have induced the French ministers to make the latter proposition: and it is a satisfaction to it, that, relative to this particular, its obligations entirely accord with the desire of the French republic. The deputation is, however, firmly persuaded

persuaded that it is impossible to proceed efficaciously to establish the principles on which the indemnities ought to be founded, until a precise and determinate knowledge shall be obtained of the state of things, and all circumstances. But this knowledge cannot be acquired till by the adjustment of the eighteen articles above mentioned, the whole of the loss, the modifications under which the cessions must take place, and the fate of the inhabitants of the provinces beyond the Rhine, shall have been agreed on in concert; the deputation having only consented to sacrifices so great and sensible to Germany, in the full expectation that the three previous points contained in the note of the 11th of March would be acceded to. The deputation of the Empire therefore believes it conformable to its important duties to insist on the adherence to its former propositions. It therefore again repeats the expectation it has, that the French ministers plenipotentiary shall answer in a precise and determinate manner to the second previous point of the note of the 11th of March; that they shall explain themselves relative to each of the eighteen articles before mentioned; and that they shall without delay take the necessary measures for withdrawing the French troops from the right bank of the Rhine, where the different countries are so much exhausted as to be incapable of any longer supporting the burden.

Rastadt, April 18th, 1798.

Answer of the French Ministers to the Note of the Deputation of the Empire of the 18th April.

THE cession of the left bank of the Rhine, and the acceptance of the principle of secularization, in order to provide indemnifications, leave now nothing more to be done, but to examine in what manner these two formally acknowledged principles may be carried into effect. The deputation of the Empire has very justly remarked, that, in order to adjust the measure of the indemnifications, it will be proper first to ascertain the extent of the losses. It has therefore expressed a wish for an explanation relative to this point, and likewise to all other demands which it may be intended to make. The demands of the ministers plenipotentiary of the French republic are simple, and founded on the common advantage of both nations. It is, in fact, sufficient merely to state them, to render their propriety evident. The deputation will find the present note a sufficient answer to almost all the questions contained in its former communications. The navigation of the Rhine shall be alike free to both nations; but no others can participate in it, except by their consent, and under such conditions as they shall choose to require. The ways on the side of the river shall be maintained by the inhabitants of the respective

and no works undertaken on either side which may be to the detriment of the other. The transits on both sides shall be free, and all tolls shall be abolished. Commodities shall only be subject to the tolls which are paid on their being shipped, which, however, on the one bank, shall not exceed those paid on the other. The islands of the Rhine shall belong to the French republic. The infinite advantages that must result from a free navigation give reason to hope that the deputation will find it no less proper to render the navigation of the rivers which flow into the Rhine, and the navigations of the great rivers of Germany, such as the Danube, likewise free to both nations. In consequence of these stipulations, the French republic will retain nothing on the right bank of the Rhine, except the fort of Kehl, and its territory. It will easily be perceived that the republic does not wish to retain possession of these for the sake of aggrandizement, but for its own security and tranquillity, and to prevent every occasion of a rupture. From a reason of similar urgency, the demolition of the fortresses is required, the existence of which is in some measure incompatible with the existence of Coblenz. It is not necessary here to mention the fort of Cassel and its appurtenances, as this fort can only be considered as a part of the fortifications of Menz, and consequently cannot be separated from it. Lastly, the republic requires the commercial bridge between the two Brisacs shall be restored; and that a tract of land, fifty acres in extent, opposite the old bridge at Huninguen, shall be ceded, with the road necessary to pass to it. All the rest of the countries on the right bank of the Rhine shall be evacuated by the French troops, *immediately after* the conclusion and ratification of the treaty of peace.

It now only remains to point out those possessions on the left bank of the Rhine, which are to be indemnified from the right bank. The ministers plenipotentiary of the French republic think it cannot be necessary to declare themselves more explicitly on this head; as it cannot escape the deputation, that whatever appertained to the princes or states of the Empire, or knights of the Teutonic order, by a necessary consequence, and according to the principles generally acknowledged, must be transferred to the right bank of the Rhine. The debts likewise with which these objects or possessions were encumbered, must be transferred to the possessions applied as indemnifications. It is also to be understood that the Empire renounces all kind of pretensions, of whatever nature they may be, to the ceded possessions; and that all titles derived from them shall entirely cease. The same renunciation shall likewise take place with respect to all pretensions on the territory of the republics in alliance with the French republic. The deputation will perceive, that the articles here offered are the only ones which can produce that secure order of things, and that durable peace, which must be the wish of both nations.

nations. It is doubtless unnecessary to make any reserve with respect to any particular demands of sums of money, moveable goods, or other payments to which some states may be bound with regard to the French republic. The present subject only relates to the German Empire, and by no means to particular engagements which may have been contracted, and which in their nature have no reference to the Empire. The ministers plenipotentiary of the French republic can perceive no well-founded objections that can be made to these demands, which are equally moderate and proper. They expect a speedy answer. The time for delay is past.

*Rastadt, 14th of Floreal (May 3),
6th year of the French republic.*

(Signed)

TREILHARD.
BONNIER.

Conclusum of the Deputation of the Empire at Rastadt on the 14th of May, being an Answer to the Demands made by the French Plenipotentiaries in their last Note.

THE deputation of the Empire has seen with pleasure, in the last note of the ministers plenipotentiary of the French republic of the 3d of May, that the republic was convinced, as well as the deputation, of the necessity of establishing the mass of losses, before any determination was made respecting the mass of indemnities; which, after the previous declarations of the deputation, were to be limited as much as possible. But, on the other hand, the deputation were much afflicted at finding, against their expectation, in that note, fresh pretensions, and such, that their mass surpasses, even with respect to the Empire, the sacrifices to which they have been forced to consent, and which they have considered as the most grievous and the greatest by which the Empire could purchase peace; pretensions which, besides, would evidently destroy the future safety of Germany.

The deputation of the Empire are about to communicate to the ministers plenipotentiary of the French republic all the reasons founded in the nature of things, which oppose their adhering to those demands; they will also reply in a detailed manner to the rest of the contents of the said note, full of confidence as they are in the moderation and justice of the French government. They are convinced that the French ministers themselves will find these reasons and details so evident, that they will on their side approximate to the propositions of the deputation, and thereby operate a speedy conciliation, which has been so long the object of the desires of Germany, and for the facilitating of which the deputation of the Empire have resolved to make such painful sacrifices.

To follow in some measure the order observed in the last note of the French ministers, it will first be necessary to develop the manner in which those ministers express themselves relative to the left bank of the Rhine. They will recollect that in the note of the 11th of March, the deputation acceded to the basis of peace, by which the course of the Rhine should form the limit between the two states, only with the reservation that there should be an understanding upon the modifications contained in the eighteen articles of the note of the 3d of March, and that the two other previous conditions of the note of the 11th of March should be admitted. Thus, in consenting finally to admit the course of the Rhine for a limit, it was necessarily understood that (conformably to the principles which have in all times constituted the basis of treaties between people) the river should belong in common to the two nations which it divided, or that an ideal line should form the frontier between them. The deputation of the Empire, faithful to this principle of the right of nations, in the eighteen articles transmitted on the 3d of March, have not only accepted the middle of the course of the Rhine for a limit, as has been the custom in the ancient treaties of peace; but they have besides proposed, in a more precise manner, that the 18th article of the peace of Ryswick, and the 6th article of the peace of Baden, should be admitted as a basis in the ulterior negotiations. But the ministers plenipotentiary of the French republic, in their notes, speaking of the fixing of the future limits between Germany and France, have only made a general mention of the Rhine and its course; and in the note of 22d Pluviose (February 10), they have said formally, the cession of what is beyond the Rhine, that is the basis.

The ministers plenipotentiary have not altered their language in the sequel, when the deputation, to prevent all misunderstanding, remarked formally in their ulterior communications, that by the course of the Rhine they could only understand the middle of the Rhine. Moreover, this acceptance was admitted in the note of the 25th Ventose (March 15). The deputation therefore, cannot persuade themselves that the ministers plenipotentiary had it not in view, on their side, to take the middle of the Rhine as a limit between the two nations; and they were consequently the more astonished that, by their last note, they demand for the French republic all the isles of the Rhine. The greater part of those isles belong to the neighbouring communes, who make use of them as common property: some of them also belong to private persons. Towards the middle of the Rhine, several families possess them by title of fief, and the smaller ones are in the class of appurtenances to the princes. A great number of these isles are inhabited, and consist of woods, meadows, and cultivated grounds; and, taken together, they would form

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very considerable object. In several places, particularly on the side of the right bank, it would be impossible to collect the fascines necessary to construct and keep up *epis* upon the banks, if the isles of the Rhine, with their woods, were lost to the right side. This object, then, is of great importance to Germany, and the loss of all these isles would, in a commercial, territorial, and military point of view, be a very essential aggrandizement to the French republic. However inclined the deputation may be, by their known principles, to yield to France such of the isles as may be on her side, it ought nevertheless to be established, as a reserve, that the isles which are on the right side should remain under the dominion of the Empire, and the sovereigns whose estates are in the neighbourhood; adding, formally, that private property, and their limits upon the isles on both sides, shall remain inviolable. In the places where the river does not change, or seldom changes its bed, that is, towards the middle of its course, and particularly on the Lower Rhine, that line of demarkation would have no inconvenience. But on the Upper Rhine, the Thalweg, or, properly speaking, the navigable part of the Rhine, has determined that line of sovereignty; and by the direction of this Thalweg the limits from Huninguen to the Palatine countries have been fixed, in more recent times, between French commissioners and those of the states of the Empire: so that the property of the inhabitants of the right bank, upon the isles which, by the changing of the Thalweg, fall on the left side, would pass under the French dominion; and, on the other hand, that which would fall on the right side would pass under the dominion of Germany. It would then be necessary to determine respecting the isles situated on the left side of the Rhine, and which have not hitherto belonged to the French republic, whether the middle of the course, or the Thalweg, shall form the line between Germany and France. In the first case, the ideal line of demarkation will intersect several of the isles, and then it would be more just that, in the detailed arrangements adopted upon the subject, these isles should be ceded wholly, alternatively, to one or other party.

If these reasons evidently prove how important it is for Germany, that the exact middle of the Rhine should form the limit between the two nations, the French legation will judge to what point the deputation of the Empire must have been disagreeably struck by the new pretensions contained in their last note, that the towns of Kehl and Cassel (the latter has never been considered as a dependence of the fortresses of Mentz), as well as fifty acres of ground opposite the old bridge of Huninguen, with the roads necessary to reach it, should be ceded to the French republic; that the bridge between the two Brisacs should be re-established, and the fortresses of Ehrenbreitstein razed.

In their note of the 8th Pluviose (28th January), the French ministers, to explain the reason of demanding the Rhine for a limit,

limit, made use of the following expressions: "The safety of the republic requires the limit of the Rhine: the tranquillity of the Empire solicits in a still stronger manner those limits." They asserted, at the same time, that this demand "rested upon a much more imperious motive, a motive common to the two powers, that of providing, by invariable limits, for their future tranquillity."

In the note of the 15th Pluviose (13th February), the limit of the Rhine is called a just basis, suitable and useful to the two States: and in the note of the 2d Ventose (20th February), a suitable and necessary basis, which guarantees the future tranquillity of the two states. The note of the French ministers of the 14th Ventose (March 4) agrees upon this point with the preceding: after having spoken of the Rhine as the basis of peace, it is formally added—Convenience, justice, necessity, have demonstrated it in the preceding notes, the common interest of the two nations, &c. And when afterwards the deputation of the Empire, in their note of the 5th April (16th Germinal), had repeatedly demanded, that the French ministers should declare that they would make no ulterior demand upon the Empire, it was answered, under date of the 19th Germinal (April 8): "Upon the second proposal contained in the note of the 21st Ventose (March 11), the ministers plenipotentiary declare, that they have already explained themselves in a manner to satisfy every reasonable mind, when they said, that in the course of the ulterior discussions they would refuse nothing that should be just, and should accord with the common interest of the two nations:" which supposes also, that they would only make such demands as would be admissible.

From these declarations it could not be imagined that the proposition to establish the Rhine as a limit, could have any other object than that of rendering that limit invariable, of preventing thereby all the inconveniences to which frontiers not marked by nature are exposed (note of the second Ventose, Feb. 20); to insure in a better manner tranquillity for the future, and to operate the common advantage of the two nations. The propositions which have just been made to the deputation are wholly opposite to these views, which could alone have determined them to accede to the first basis of peace; the Rhine would thereby cease to form the limit; there would be, on the right side of the river, several points of contact which would be eminently injurious to the maintenance of tranquillity. Finally, if they consider in the demands made the cession of the strong places, the proportion between France and Germany becomes still more unequal. The left bank of the Rhine, protected by the most important fortresses, opposes an impenetrable barrier to all hostile attempts which might be made. The repose and safety of Germany, on the contrary, would be

continually exposed. Points fortified upon the right side would make it fear a neighbour continually ready to attack it, would destroy its military integrity, and fetter its independence, upon the maintenance of which the French government thinks that it is conformable to its politics to set a value : the more so, as the demolition of fort Ehrenbreitstein is demanded, as well as the re-establishment of the bridge between the two Brisacs, with fifty acres of ground on the right side, opposite to the old bridge of Huninguen ; yet the first of these bridges has been suppressed by two treaties of peace. With respect to the destruction of Ehrenbreitstein no equivalent is offered, and consequently this latter object cannot be considered as a thing in which regard has been had to the common interest of the two nations.

All the reasons that have been adduced are, without doubt, too evident for the French ministers plenipotentiary not to recognise the validity of them, and to unite with the deputation, in order that the Rhine may form in future the line of separation between the two states, and that neither of the parties may extend their domination to the opposite shore. This principle being established, the deputation are entirely disposed to agree upon the reservations, means, and precautions, by which the two contracting parties may remain tranquil relative to their respective safety. This is, without doubt, the most moderate proposition that a nation can make, which, after an unfortunate war, seeks in peace no other happiness than its future tranquillity. The deputation of the Empire, on their side, are ready to listen to all other propositions that may be looked upon as the natural effects of the establishment of the limit of the Rhine, and of the dominion in common of that river. The proposition of a *towing-sway* being a disposition respectively useful, which can make no change with regard to property, jurisdiction, and sovereignty, will consequently experience no difficulty in the execution, according to the necessity and possibility of the case. The deputation consider as equally suitable, and in conformity to the 18th article of the treaty of Ryswick, and the 6th article of the treaty of Baden, the proposition respecting the keeping up of the river : and the assurance which follows it is so much the more agreeable, as buildings upon the water on the left bank of the Rhine, would be injurious in different places to the countries on the right bank, whose soil is less elevated. It is understood also for this reason, that the private persons in possession of land shall preserve the faculty of being able to form dykes, and make other dispositions to prevent their property from being inundated, provided these works hurt not the course of the river nor the navigation. But as in several parts of the right bank stones are entirely wanting, and other materials necessary for water buildings, and as the left bank, on the contrary, possesses them in abundance, both parties shall be entitled to supply themselves

themselves reciprocally with these materials, such as stones, fascines, wooden piles, &c. at a reasonable price. The principle of the two nations enjoying equally the right of navigation upon the Rhine, accords entirely with the 1st and 16th articles of the note of the deputation of the 3d of March; but no explanation is given respecting the wish there manifested, that by a common arrangement with the Batavian republic, the free navigation of the Rhine be ensured to the mouth of the river, and that on the other hand the reservation should be proposed, that no other nations should participate in it but with the consent of the two parties, and on conditions conjointly agreed upon. There were only, as is known, the Swiss on the Upper Rhine, and the inhabitants of the Low Countries on the Lower Rhine, who were accustomed to navigate the Rhine with their boats. The ulterior proposition to abolish the right of toll appears in truth to lead to the advantage of trade: but it is also to be feared, that by this suppression the keeping up of the course of the river for navigation, which is an expensive article, might no longer take place as formerly. On the other hand, there exist many debts mortgaged upon the produce of those duties; yet if this abolition should be effected, it would be proper that it should extend also to the Batavian republic, and that, to favour the freedom of commerce, the staple rights and the watermen's duty should also be suppressed.

With respect to the subsequent proposition in the French note, that merchandise only should be subject to the custom duties established in the countries and receivable at the moment of landing, without the duties established on one bank being greater than those which shall be established on the other; it would be evidently advantageous that the two nations should agree upon certain principles respecting the duties to be received upon merchandise: but, according to the proposition of the French ministers, these duties could not absolutely be the same upon the two banks. In fact, in order that this equality may operate, it would be necessary to establish a common and uniform *tarif* for all the states, large and small, which are situated upon the Rhine. Besides, the principal object of this species of import is not to produce a revenue to the sovereign, and consequently to return money to the treasury, but to defray, in the first instance, the expense to which the states must be put, under the commercial relation, for roads, towing-ways, bridges, and the pay of the persons employed, and afterwards to procure the means of directing the trade for the advantage of the inhabitants, the prosperity of their manufactures, and the encouragement of industry. A state attains this object by customs, by diminishing the duties of importation upon certain merchandise, and by augmenting them upon others, from the necessity there may be for them according as they are abundant or scarce, raw or manufactured, &c. But if these custom duties are all at-once to be

exactly the same upon both banks, that they cannot be changed without the consent of the two parties, such an arrangement could easily be effected without the most minute examination of details, considering the difference of the great and small towns which are situated upon the right bank of the Rhine, and their interests, wants, and views are so various. Nothing is evident than that it is the interest of each state to make alterations in this particular, according as its individual position and wants require; to prohibit frequently the importation of articles upon which bounties are allowed in a neighbouring state. The establishment upon the right bank of the Rhine of an *unitarief*, which should be the same as that upon the left bank, is then experience, in all respects, well-founded difficulties.

All these observations, as well as from those upon the nation of the Rhine, the towing-roads, the keeping up of the banks and the tolls, which are all founded in the different relations of Germany, one may see how much those objects would require important considerations connected with locality, and forming a marked connexion with the progress of commerce—difficult it would be to change those establishments which existed for ages, and which had the greatest influence upon the trade and prosperity of the two banks of the Rhine in a very great extent; finally, how little possible it would be, without a serious and deep examination of all these considerations, to make an arrangement equally advantageous for the two nations upon so complicated a subject. But as this scrupulous examination ought to check the principal work of pacification, the deputation of the Empire think they ought to propose, that all the points which concern the navigation of the Rhine, the towing-ways, the keeping up of the river, the tolls and customs, and the trade in general, should be deferred till the conclusion of a treaty of commerce and navigation, and that until then every thing should remain *in statu quo*. With respect to the desire manifested by the French ministers, that the navigation should be free upon all the rivers which flow into the Rhine, as well as upon the great rivers of Germany, that object is not within the competence of the deputation.

The ministers of the French republic next make an absolutely unreasonable demand, that is, that amongst the possessions of the states on the left bank, which ought to be replaced on the right bank, should be comprised those which belong to the immediate equestrian order. One does not see by what reasons the property and tenancies of the equestrian order should be considered other than as private property, whose inviolability has been assured by a note of the 10th Germinal (8th April). This overture relative to the equestrian order can only be founded upon an error in the manner of judging of the relations of that order with the

Empire. The opinion formed in it of the possibility of a similar arrangement, is an object so much the more important, as its admission would involve in it the greatest difficulties, and as any indemnification whatever upon the right bank of the Rhine would exhaust the mass of indemnities, and consequently in a great measure produce a failure in the object of the indemnities.

These immediate nobles are not states of the Empire; they enjoy no right of suffrage in the general diets or the diets of the circle; they have consequently no more share in war and peace than the other subjects of the Empire. They differ from the mediate nobility and the other subjects of the Empire, inasmuch as they are (without intermediate persons) under the Emperor and Empire, and are not subjected to the sovereignty of any state of the Empire. Their rights of property accord entirely with the French laws. The immediate nobility form two cantons—that of the Upper Rhine and that of the Lower: they have all their possessions upon the left bank. The canton of the Upper Rhine is bounded by the Rhine, the Queich, and the Nahe; that of the Lower Rhine extends from the Nahe to the Lower Rhine.

The possessions of the equestrian order of those two cantons are isolated and scattered over the territories of the states of the Empire; they consist wholly, either of one house in a town, or in a village, and frequently of fields only, dispersed amidst other land; of tithes and other dues of that kind: very few places are wholly the property of that order. Several families of counts who pay dues to the Empire and to the Circle for some possessions, and who have thereby a right to sit in the assembly of counts of the Empire, belong also, with their effects, to those cantons of the equestrian order: they are generally the families which possess the greatest number of places depending upon that order. With the exception of those places, the canton of the Upper Rhine scarcely reckons twenty villages which belong wholly to the nobles: some belong in common to several nobles. There are also states of the Empire, chapters, convents, &c. which possess these dependencies upon the equestrian order; the latter, as well as all the possessors of the property of the equestrian order, pay their imposts to the canton. The immediate quality of a great number of these possessions is disputed by the states of the Empire in the countries in which they are situated—that quality then cannot be considered as important. But there, even where the equestrian order possess whole places, and where their quality of immediate is recognised, the noble levies no tax upon his subjects, and the states of the Empire commonly exercise there the superior rights. The principal revenue of the members of the equestrian order consists for this reason in their private property, tithes, and other rents—the produce of the seigniorial and feudal rights is in general very inconsiderable. These immediate noble

is cannot therefore of consequence be considered but as simple proprietors of private property ; and as by the 12th title, article 35 of the French constitution, foreigners, even without being citizens, or established in the French republic, may possess property, and buy and dispose of their property, of course the law ought to be applied to these immediate nobles respecting property situated upon the left bank of the Rhine, that which the French note of the 19th Germinal (April 8) ensures to them on these terms, *that the preservation of the property of private persons never have been the object of a serious doubt.*

The French government will so much the less wish to wrest private effects and appurtenances from their legitimate possessors, because by the public right of the Empire, such possessions never be united to the domains of the nation to which the law is made; and as by the French note of the 22d Pluviose (February) no pretension is advanced but to the domains of the French exercising the sovereignty.

Respecting the debts which in the last French note are proposed to be transferred wholly from the countries on the left bank to the right, it has been generally recognised, in all times, that the debts with which countries are burdened, which by a change of peace pass under another domination, ought to be transferred to the power acquiring those countries. This principle has in a late instance been followed in the treaty of Campo Formio. This proposition then does not accord with the rules of equity of nations and of justice, and in the known state of the world is absolutely inadmissible. The deputation are consequently induced to expect that, after a sufficient examination of the principles of right, and the insurmountable difficulties that oppose the execution of such a condition, the French plenipotentiary will not insist upon this point.

There can be no question certainly of the debts which particular princes, bailiwicks, grand bailiwicks, and commonalties contracted on their own account: those who have contracted these debts ought alone to pay them. The French government is surely not in view to impose upon the inhabitants of other countries the debts of a country which have been contracted for urgent wants, according to the forms, usages, and constitution of the country. It can only be understood here to refer to the *cameral* and domanial debts mortgaged; but the best reasons may also be urged against the transfer of these to any objects of indemnity upon the right bank of the

Those debts, with respect to their origin and use, are so different in their nature, that it would be contrary to all justice to throw them indistinctly and without exception upon the right bank, or even to burden the countries on the right bank with

them, who are such strangers to them. We will cite for example the *cameral* debts, which the sovereign has contracted for the good of the country, and which consequently are real national debts, with which the new sovereigns ought to be charged.

2d. Should even the states of the Empire which have experienced losses, and which have debts, be indemnified by the domains of other countries, the latter are without doubt already burdened with debts, and have other expenses and charges to support.

3d. The creditors, who have the best-founded pretensions to the pledges mortgaged, would thereby lose a great part of their security.

4th. The subjects of the countries on the right bank would be molested by the creation, already not very easy, of new impositions destined to extinguish foreign debts from which they would have deduced no advantage.

5th. By the transfer of the *cameral* debts to the domains upon the right bank, the objects of indemnity would be depreciated, which would consequently render their augmentation necessary. The result would also be, that he who should be the most loaded with debts upon the left bank, would have a right to pretend to a proportional and greater mass of indemnities in territory and inhabitants.

6th. It is known that some German countries on the left bank of the Rhine, and precisely the most considerable, are not loaded with any passive debt: that the debts of some others are of small importance; so that the debts of the rest of these countries, though large enough, do not deserve in their total to be considered as an object of great importance by the French republic. On the other hand, the countries situated on the right bank, which the republic restores to Germany, are so ruined, that a century will scarcely suffice to free them from their debts. Those countries are therefore so much the less able to support foreign debts.

Finally, the French ministers, in their last note, make mention of the renunciations which they desire to be made respecting that which shall be ceded by the Empire to France. As this object is liable to no difficulty, and as the deputation has already in part acceded to it in their note of the 3d of March, they think they have so much the less reason to doubt that a similar renunciation will take place on the part of the French republic in favour of the Empire; it is on this account they expect a formal adherence to the proposition contained in the third of the articles annexed to the note of the 3d of March. They must also renew the demand expressed in the article 15th, on the subject of the pretensions formed by the French republic, during the war, at the charge of several particular states of the Empire; so much the more, because similar renunciations are usual at the conclusion of treaties of peace, and because it would beside be very afflicting, after such consi-

considerable sacrifices as the Empire has made for the good of all and of each state in particular, to see those states still exposed to fresh demands and pretensions, at the moment in which the Empire should begin to enjoy the fruits of peace. Finally, the deputation of the Empire must again demand of the French ministers a reply to all the points of the last note, to which none has yet been given, or to which the French ministers have not yet replied in a satisfactory manner: principally to the articles 7, 8, 9, 11, 13, 14, 17, 18, which relate to the safety and faculty to all proprietors to dispose freely of all their possessions and appurtenances upon the left bank of the Rhine; the amnesty with its effects—the measures to be taken in favour of persons of the ecclesiastical or lay condition, who are deprived of their existence by the new organization; the non-application of the laws of emigration in the ceded countries, as well as the arrangements particularly necessary for Alsace and Lorraine.

Answer of the French Plenipotentiaries to the Note of the Deputation of the Empire, dated 14th May.

THE undersigned, ministers of the French republic for the negotiation with the German Empire, have received the note of the deputation of the Empire of the 19th of last Floreal, communicated to them by Count Metternich, minister plenipotentiary of his Majesty the Emperor.

They hoped that the deputation, enlightened respecting their true interests, and the dangers of temporizing, and penetrated, like themselves, with the necessity of a prompt and durable peace, would not have hesitated to accept the propositions announced in the note of the French legation of the 14th of last Floreal; that they would acknowledge that the French republic could not have exhibited greater moderation and condescension; and that doubts much greater sacrifices would have been required of her, had her enemies succeeded in their plans of invasion and partition; in fine, that, instead of plunging themselves more and more into an endless discussion, they would study to give precision to their answers; and especially that they would justify the opposition which they manifested to the most important points by that strength of reason which men of integrity cannot resist.

Disappointed in these hopes, the undersigned have given the more profound attention to the note of the 19th Floreal; and they have to declare, that, from the most mature examination, they have derived no convincing reason to induce them to desist from their first demands. For example: The deputation are surely not serious in proposing to refer to a particular convention of commerce and navigation, all that the note of the French legation contains

contains relative to the navigation of the Rhine, to the towage ways, works on the banks, toll duties, &c. It is difficult, in fact, to conceive what is intended by a treaty of commerce with the Empire in general. It is with each state in particular, and according to mutual conveniency, that relations of this kind must be formed. But all the objects in question, with the exception, perhaps, of some customs which belong to conventions purely commercial, ought to enter into a treaty of peace concluded with the Empire, because the Empire has a public and direct interest in them. It is as difficult to comprehend the declaration made by the deputation, that they are not competent to decide upon the demand of the ministers plenipotentiary of the French republic, relative to the free navigation of the rivers running into the Rhine, and in general to the great rivers of Germany. It appears that the deputation of the Empire declare in vain that they have no powers in this case. If they have no right to pronounce in it themselves, it belongs to them, at least, to solicit the decision of the Germanic Diet; and surely there is so much more reason for astonishment at their indifference in this respect, as the opening a free passage in the lesser rivers of Germany is the object which, in its consequences, most interests the German nation.

The refusal of the deputation to consent to the re-establishment of the commercial bridge between the two Brisacs is built on no better foundation; especially when it is remarked, that the pretext for this refusal is drawn entirely from the clause of the ancient treaties, which stipulate that it should be demolished. Without seeking to trace the true motive of the resistance which they have manifested upon this subject, the undersigned will repeat, that the advantage of a part of Germany demands, as strongly as that of one of the departments of the French republic, that this ancient communication should be restored to the commerce of the two nations. Why should the alarms arising from a state of war be constantly opposed to the ancient benefits of a state of peace? If all the difficulties which the deputation appear to create at every step were examined in detail, they would be found equally destitute of solidity, and the pretensions of the French republic would still remain in full force. But in negotiation the essential point is to advance; and no advance can be made by empty discussion. It is therefore necessary that on both sides we should express ourselves without delay or reserve.

The undersigned will give the example; and if the weakness of the objections hitherto opposed to them do not justify any sacrifice on their part, they will find motives for it in the beneficent policy of their government—in its respect for humanity, and in its sincere desire to accelerate the conclusion of a definitive treaty which shall connect the two powers by the tie of common prosperity. They therefore propose the following modification to

Some articles of the note of the 14th Floreal, on the supposition that the deputation will accede to the other articles contained in it, which remain unaltered, the undersigned persisting in them with more urgency, as being incapable of undergoing any discussion.

1st. Kehl has too often formed part of the French territory not to be considered as an ancient French possession, and being such, it is not to be supposed that the republic should now abandon it. But to remove the inquietude of the Empire on this subject, it will be stipulated that no town or regular fort shall be built on its soil, and nothing will be preserved except the bridge, and the redoubts necessary to protect it.

2d. The republic had demanded fifty acres of land opposite to the old bridge of Huninguen, with a road to it: it renounces that demand, and requires only that there be constructed at Huninguen a bridge of communication between the two banks.

3d. The earnest reclamations of the plenipotentiaries of the Empire, in favour of the chief nobles of the Empire, will be favourably received by the French government. It will also consent, that those who are not counts, princes, or states of the Empire, and who have neither a collective nor individual vote in the Diet of the Empire, should be considered as private persons, and treated as such; it being understood, at the same time, that they can have no claim or indemnity whatever, either from the suppression of feudal rights, want of possession, or degradation, down to the period when they shall be put in possession, that is, the day of exchanging the ratification of the definitive treaty. The arrears of revenue due at the same period will belong to the republic.

4th. The dependencies on the left bank of ecclesiastical establishments on the right being ceded to the republic, the dependencies on the left bank of ecclesiastical establishments on the right will continue to belong to the Empire.

The ministers plenipotentiary of the French republic have no doubt that the deputation of the Empire will justly appreciate this new testimony of the moderation of its government. From reciprocal sacrifices there will result a peace, speedy, solid, and honourable for the two states.

*Rastadt, 4th Messidor (22d June), 6th
year of the French republic.*

BONNIER.
JEAN DEBAY.

Substance

Substance of the Vote given by Austria in Answer to the last Note of the French Plenipotentiaries, dated 22d June.

Rastadt, July 8.

THE ministers of Austria, after stating that they had opposed in an amicable but energetic manner, the new demands of the French plenipotentiaries; that the deputation of the Empire had already consented, with some modifications, to the most oppressive demands; and that, considering the nature of the Germanic constitution, the deputation was not only free from the charge of having temporized, but had even done every thing to accelerate the treaty, proceed in the following manner:

The last French note of the 22d June has very much disappointed the flattering hopes that the important motives, alleged with a view of obtaining more favourable conditions, would at length be rewarded with deserved success, since, with the exception of some trifling modifications, the principal points were insisted on even in the actual form of a demand, which, with respect to the free navigation of the Rhine, and the other rivers of Germany, had not been before manifested but in the nature of a wish. Austria has in every point of view been influenced only by the dictates of duty, which shall direct her in her present vote. She proposes, therefore, to declare repeatedly, in a new answer to the ministers of the republic, that it is expected—

1st. That the republic will desist from her pretensions on all the islands of the Rhine, and confine herself to the limits required by herself, preserving the way in which the duties are collected, on the navigable part of the river.

2d. That Cassel, Kehl, and the *tête du pont* of Huningue, belonging to the right bank of the Rhine, shall remain in the possession of the Empire of Germany; and that in general every thing on the Upper Rhine shall be restored to its existing state before the present war.

3d. That the fortrefs of Ehrenbreitsstein shall remain untouched.

4th. That the sequestration imposed upon the property of the nobility immediately dependent on the Empire, shall be taken off, and restoration shall be made to them of every thing of which they have been deprived to the present moment. That no distinction shall be made between those situated on the right and left bank of the Rhine, nor between those who have not votes in the Diet of the Empire, and those who sit and vote in it; and that the nobility immediately dependent on the Empire, shall be indemnified for their feudal rights which have been suppressed.

5th. That with respect to the ecclesiastical establishments, it shall be determined whether the *pia corpora* shall be comprehended in them, as it is here believed ought to be the case.

Finally,

Finally. Austria must propose the frequent representation of all these considerations, and of whatever the deputation shall think proper to add, to the French ministers, in amicable expressions, but, at the same time, in terms of energy, with the intent that the French government may be induced to come to a resolution to recede from her hard demands. There is reason to expect that such will be the event, more particularly as the French ministers, in their last note, extol themselves the liberal system of politics pursued by their government, its respect for humanity, and its sincere desire to accelerate the conclusion of peace. The deputation places too much confidence in this last declaration, as well as in the preceding ones, to entertain a doubt of their being realized.

Substance of the Declaration made by the Prussian Ministers at Rastadt, to the Ministers Plenipotentiary of the French Republic.

THE King has seen, with the greatest surprise, the pretensions, as novel as unexpected, which the French republic has formed since the negotiations were opened on the two bases, viz. the left bank of the Rhine and the indemnities; which pretensions consist in this, that the debts of the states which experience losses on the left bank, be transferred to the right bank; that the present noblesse of the Empire, who are deprived of their property on the left side of the Rhine, should be indemnified on the right; that all the islands of the Rhine should be ceded, as well as the different military posts on this side of the Rhine, &c. Among all these demands, that of the abolition of Ehrenbreitstein was particularly unexpected by the King. His Majesty flatters himself, however, that France will change her sentiments in this respect, and that she will even desist from any such pretension, if it be intended to remain on the footing of amity and good understanding with Prussia. Indeed, to demand the demolition of Ehrenbreitstein and the preservation of other military posts, is evidently assuming an offensive and menacing attitude against the north of Germany, and therefore must force his Majesty in particular to resort to measures of precaution and defence. The King is certainly far from being induced to enter into a new coalition against France. He loves also to believe that the republic will not assume a threatening aspect, nor create disagreeable alarms.

Cartel for the Exchange of Prisoners of War between Great Britain and France.

WE the undersigned commissioners for the transport service, and for the care and custody of prisoners of war, on the part and in the name of his Britannic Majesty; and M. Joseph Niou, commissary for prisoners of war, on the part and in the name of the French government; being duly authorized to take proper measures for carrying into execution an exchange of prisoners, have agreed upon the following articles:

I. An exchange of prisoners of war shall immediately take place between the two countries, man for man, and rank for rank; and the French government shall begin, by sending over to England, in a French cartel vessel, a number of British prisoners, with the proportion of five officers to one hundred men, upon the arrival of whom in England the British government will cause an equal number, of the same ranks, of French prisoners, to be sent, in an English cartel vessel, to France. The British government shall then cause to be sent to France, in an English cartel vessel, a number of French prisoners, with the same proportion of officers as above mentioned, for whom the French government shall return, by a French cartel vessel, the same number and ranks of British prisoners. The exchange shall be continued according to the same alternate plan, until one or the other of the two governments shall think proper to put a stop thereto; and, in that case, the party so discontinuing is to return, without delay, whatever number of prisoners may appear to be against it on the balance of the exchanges that may at that time have taken place in consequence of this cartel.

II. In order to prevent any difficulties that might otherwise arise from the diversity of ranks of officers in the service of the two countries, it is hereby agreed, that the table hereto annexed of corresponding ranks in the English and French services, shall uniformly be attended to by both parties; and that officers of either side, of ranks of which there shall be no corresponding officer or officers in possession of the other power, shall be exchanged for their equivalent, according to the scale of value in men specified in the said table.

III. All the prisoners on both sides to be exchanged by this cartel shall be selected, according to their ranks, by the respective agents of the countries to which they belong, residing at Paris or in London, without any interference whatever on the part of the government in whose possession they may be.

IV. It being stipulated, that the British prisoners shall be sent to England in French vessels, and the French prisoners conveyed to France in British vessels, it is hereby agreed, that the whole expense attending such vessels shall be defrayed by the respective countries.

countries by which they may be employed; and that the prisoners, during their passage, shall be furnished with the following daily allowances—viz.

<i>British Prisoners.</i>			<i>French Prisoners.</i>		
	lb.			lb.	
Bread	—	1	Bread	—	1½
Beef	—	1	Beef	—	½
Beer 2 quarts, or wine 1 quart.			Beer 2 quarts.		

A table of which allowances is to be affixed to the mast of each cartel vessel.

V. All prisoners on both sides, not being officers, who, from wounds, age, or infirmities, are rendered incapable of further service, and also all boys under twelve years of age, shall be forthwith returned to their respective countries, without regard to their numbers or equality of exchange; but the selection of persons of the descriptions mentioned in this article, is to be left entirely to the agents and surgeons of the government of the country in which they are detained.

VI. All surgeons, surgeons' mates, purfers (or *aides-commissaires*), purfers' stewards (or *commis aux vivres*), secretaries, chaplains, and schoolmasters, being the classes comprehended under the denomination of *non-combattants*, and also passengers not of the sea or land service, in whatever ships taken, shall not be considered as prisoners, but shall be immediately set at liberty, to return to their respective countries, without being placed to the account of exchange.

VII. All officers bearing authentic commissions in the land service, and those belonging to the sea service of the following ranks—viz.

Admirals	Lieutenants
Vice-admirals	Ensigns
Rear-admirals	Masters
Commodores	Mates (or pilots)
Captains	Midshipmen (or aspirants);

and also masters and mates, or second captains of merchant vessels exceeding the burden of eighty tons, together with the captain, and in the proportion of three other officers to each hundred men, of privateers of fourteen carriage guns and upwards, shall either be permitted to return to their respective countries on parole, not to serve until regularly exchanged; or shall have the usual indulgence of parole granted to them in the country in which they are detained. And it is agreed, that whatever officers may, by virtue of this article, return to their respective countries, shall be suffered to depart from their present places of confinement to Dover, or Gravelines, as soon as conveniently may be after the signing of the present cartel; and

also, that all officers residing on parole in their own countries, shall signify to the agent of the country to which they are prisoners their respective places of residence, which they are on no account to change, without first intimating their intention to the said agent; and they are, moreover, at the expiration of every two months, to transmit to the said agent a certificate of the particular places where they may reside, signed by the magistrates or municipal officers of such places.

VIII. The settlement of the balance now existing on the account of such exchanges of prisoners of war of both countries, as have taken place from the commencement of hostilities to the day of the date hereof, shall be deferred until the termination of the present war; but it is clearly understood, that all officers, on both sides, who have been released and permitted to return to their respective countries on parole, since the commencement of the war, and who have not hitherto been regularly exchanged, are not to serve in any capacity, either civil or military, until they shall have been duly exchanged for prisoners of equal ranks, according to their original engagements.

Done at the Transport Office, London, the 13th day of September 1798.

RUPERT GEORGE,
AMBROSE SERLE,

JOHN SCHANK,
JOHN MARSH.

Table of the corresponding Ranks in the English and French Service, with their Value in Men.

RANKS IN THE NAVY.			
<i>French.</i>		<i>English.</i>	MEN.
Vice-admiral commanding in chief, having the temporary rank of admiral.		Admiral commanding in chief —	60
Vice-admiral.		Admiral carrying his flag at the main: Vice-admiral	40
Rear-admiral.		Rear-admiral	30
Chief of a squadron.		Commodore	20
		Post captain of three years standing, whose rank answers to that of colonel.	
Captain of a ship of the line.		Ditto, having rank of lieutenant-colonel —	15
		Masters and commanders, or captains not post, having rank of major, amongst whom are included captains of fireships, who are masters and commanders —	8
Captain of a frigate.		Lieutenant	

<i>French.</i>	<i>English.</i>	MEN.
Lieutenant of a ship of the line.	Lieutenant without distinction —	6
Ensign of a ship of the line.	Lieutenant, when all the French shall be exchanged, and in default of English lieutenants, midshipmen	4
Midshipman, master of a merchant vessel, and captain of a privateer.	Midshipman, master of a merchant vessel, and captain of a privateer —	3
Lieutenant of a merchant vessel or privateer, and all petty officers.	Mates, and all petty officers	2
Seamen, volunteers, and others, being considered as common seamen.	Seamen, volunteers, and others, being considered as common seamen —	1

RANKS IN THE LAND SERVICE.

<i>French.</i>	<i>English.</i>	MEN.
General of division, commanding in chief.	Captain-general, or field-marshal —	60
General of division.	General	40
General of brigade.	Lieutenant-general	30
Inferior to the preceding—superior to the following.	Major-general	20
Chief of brigade.	Brigadier-general	15
Chief of battalion or squadron.	Colonel	8
Captain.	Captain	6
Lieutenant.	Lieutenant	4
Sous Lieutenant.	Ensign	3
Non-commissioned officers, down to the rank of corporal, inclusive.	Non-commissioned officers, down to the rank of corporal, inclusive —	2
Soldiers.	Soldiers	1

RUFERT GEORGE,
AMBROSE SERLE,

JOHN SCHANK,
JOHN MARSH.

NIOU.

PROCLAMATION.

At the Court at St. James's, the 29th of August 1798, present the King's most excellent Majesty in Council.

WHEREAS, by the unjust aggression of the persons exercising the powers of government in France, now in hostility with his Majesty, many parts of Italy have been forcibly taken possession of, and the ancient governments thereof subverted, and new governments erected, under the influence of their

their councils, for the purpose of aiding more effectually their designs against the common interests of Europe, and especially for the prosecution of their hostile intentions against the commerce, navigation, and property of his Majesty's faithful subjects; and whereas divers acts, injurious to the just rights of his Majesty and to the interests of these kingdoms, have in consequence been committed; his Majesty is pleased to declare (by and with the advice of his Privy Council) that such parts of the coasts of the Mediterranean as are occupied by the arms of the said persons exercising the powers of government in France, or are subject to the government of persons acting notoriously under their influence and direction, and especially the coasts and ports of Genoa, and those of the territory of the Pope, shall be considered as in a state of hostility with his Majesty; and all his Majesty's subjects and others are required to treat and consider the inhabitants and subjects thereof as his Majesty's enemies.

W. FAWKENER.

*Message to the Council of Five Hundred on the 28th Fructidor
(September 14).*

THE Executive Directory is desirous to inform you that the French troops have entered Egypt. The French nation, the Ottoman Porte itself, and the oppressed people of that fine but unfortunate country, are at last avenged.

This memorable event had been long foreseen by a small number of men to whom glorious and useful ideas are familiar; but it was too much the custom to rank it among chimerical projects. It was reserved for the French republic to realize this new prodigy.

The causes which prepared and insured its success are now to be retraced.

For nearly forty years the Beys with their Mamelucks, those domineering slaves of Egypt, practised the most shameful vexations on the French settled in those countries, on the faith of our treaties with the Porte. From the period of the domination of Ali Bey, about 1760, we may particularly date the excess of those outrages. That audacious usurper, after having thrown off the yoke of the Grand Seignior, by ignominiously expelling his Pacha, refusing to pay tribute, and arrogating the right of making money of his own coin, insulted our consuls, menaced our drogmans with the most infamous punishments, and practised numerous impositions on our merchants. His successors, Krahil Bey, and Mohamed Bey, partly deserve similar reproaches; but their vexations were more moderate. Mourad Bey, and Ibrahim Bey, who

who reigned after them, surpassed (the first particularly) all their predecessors in extortion and plunder. Indignant at the conduct of these oppressors, the Ottoman Porte appeared in 1786 to wish to take vengeance upon them. With the aid of the forces commanded by Haffan Pacha, she compelled them to fly, and placed a successor; but she did not know how to secure her authority; and these two Beys in 1791, at the death of Ismael Bey, who had replaced them, recovered their power without obstacle, and consequently assumed their former domination.

From that instant, but particularly since France has been constituted a republic, the French have experienced in Egypt vexations a thousand times more revolting. It was easy to recognise the influence and the fury of the British cabinet. The extortions of all sorts multiplied, often without the pretext of necessity; and all remonstrances were vain.

In the second year of the republic, the consul wished to make just representations to Mourad Bey on the subject of the extraordinary exactions ordered by that usurper from the French merchants. The Bey, far from showing a disposition to acquiesce in his request, confined him instantly to his own house by an armed force, till all the produce of that odious extortion had been entirely paid him.

Towards the end of that same year, the vexations arose to such a pitch, that the French settled at Cairo, desirous to put their persons and the remainder of their fortunes out of imminent danger, decided to remove their establishments to Alexandria: but Mourad Bey took offence at this resolution; he ordered them to be pursued in their flight: such as remained were treated as vile criminals, and redoubled his rage against them all, after he knew one of the fugitives was brother to a member of the National Convention, against which he vomited forth his implacable hatred.

Thus his tyranny knew no bounds, and the French nation found itself a prisoner in Egypt. The Bey, tormented every instant with the apprehensions that some attempt might be made to escape his vigilance, dared to tell our consul, that if a single Frenchman should engage in such an undertaking, all, even the consul himself, should forfeit their heads for his escape. Such audacity and madness can scarcely be conceived; but he soon perceived that this excessive tyranny would not long continue profitable. He returned, on the demand of the Grand Vizir, not the sums that had been extorted, but their liberty, to the French; and even as the price of that which was regarded as a favour, he imposed new pecuniary sacrifices. The French then were afraid to settle in the third year at Alexandria; but there, as at Rosetta and other places on the coast of the Mediter-

anean, they were exposed to the rapacity of all subaltern agents. These agents of the Bey, more base and felonious even than himself, violently seized upon the French merchandises as they arrived in port. They fixed their own prices on the goods, and even settled the mode of payment. Should they meet the least resistance, even of the most lawful kind, force was immediately employed to repel it. At Rosetta, the gates of our vice-consul were forced, his windows broken, and even weapons raised against him, because he refused to submit to a contribution, from which even Mourad Bey himself had ordered the French to be exempted. Notwithstanding this order of the Bey, the consul was obliged to yield to force. Finally, on the 10th of January last, Coram, a custom-house officer of Mourad Bey, at Alexandria, assembled all the drogman, and declared to them, that the slightest violation of what he called the rights of his master should be punished with five hundred strokes of the bastinado, without regard to the consular character. A few days before, he threatened a drogman to cut off his head, and send it to his consul.

Thus all the rights of nations were violated in the persons of the French with the most audacious impudence; all our treaties with the Porte, all our agreements disregarded by the Beys, and by the meanest of their agents, under the pretext, as they say, of not having been parties to them; the character of our consul disowned, outraged; the liberty and lives of the French compromised every moment, and their properties given up to pillage. The French republic could not suffer much longer those numerous aggressions, evidently instigated by England, to remain unpunished. Its patience has been extreme. The audacity of its oppressors had attained its full growth. How then was the French government to procure redress for such complicated injuries? Several times, through the medium of its envoy, it addressed its complaints to the Porte; but if we except the expedition of Hassan Pacha in 1786, who merely chastised two Beys, without making compensation for the past, or provision for the future, every thing the Porte thought proper to be done was, to write in our favour some letters to the Pacha of Egypt, who could do nothing, and to the two Beys, who had power, but were firmly resolved to grant nothing on this recommendation but a deceitful submission. And thus, in the fourth year, the French ambassador at the Porte, having sent into Egypt an agent accredited with letters from the Grand Vizir, this agent obtained not real reparation, not a restitution of the immense sums extorted from the French, but some illusory stipulations respecting a reduction of the duties upon certain merchandises, conformable to ancient treaties; but scarcely had he turned his back, when Mourad Bey gave orders, which were punctually obeyed, to place the

the duties on precisely the same footing they stood before his rival.

The effort of the Ottoman Empire to protect the French was therefore evidently without weight or energy; and how could it be expected to produce a durable effect in our favour, when the Porte was reduced to that state in which it was not able to protect itself against the Beys; when it felt itself obliged to suffer the millions of Egyptians, whom it called its subjects, to become the miserable victims of foreign tyranny; when its Pacha was treated in Egypt as the basest of slaves; when the Grand Signior was insensibly stripped of his rights; and finally, when they no longer paid the contributions reserved on the conquest of Egypt by Selim the Second? All this proves beyond a doubt, that the sovereignty of the Porte in this country was but an empty title; and after its fruitless efforts in our favour, it would be to no purpose to expect from it a degree of interest for us, which is neither able, nor dares to manifest for itself.—Nothing then remains for us but to do justice to ourselves, and by our armies to avenge those base usurpers, supported by the cabinet of St. James's, and to punish those crimes which they have committed against us.

The French army presented itself the 1st of July. It was received at Alexandria, at Rosetta, and on the 23d of July it entered Cairo. Thus these odious usurpers will no more oppress this ancient and fruitful land, which time cannot exhaust; which annually recruits itself by a kind of prodigy; where vegetation is of astonishing activity and almost spontaneous; and where the richest productions of the four quarters of the globe may be found together. But it may be said, no declaration of war preceded this expedition. Against whom could it have been made? Against the Ottoman Porte? We were far from being willing to attack this ancient ally of France, and imputing to it an oppression, of which it was the first victim itself. Is it then against the isolated government of the Beys? Such an authority does not exist, and could not be recognised. When we chastise robbers, we do not declare war against them. And thus in attacking the Beys, it was in fact only England we were going to combat. It is therefore with a superabundance of right, that the French republic is put into a situation for speedily obtaining the immense reparations due from the usurpers of Egypt. But it did not wish to conquer for itself alone. Egypt was oppressed by these rapacious plunderers. The people of Egypt shall be avenged, and the cultivator of these fruitful countries shall at length enjoy the fruit of his labours, which has been torn from him with the most stupid barbarity. The authority of the Porte was totally disowned. It will receive from the hands of the victorious French the immense advantages of which it has been long deprived. Finally, for the good of the whole world, Egypt will become the country in the whole uni-

verse richest in productions, the centre of immense trade, and above all, a most formidable post against the odious power of the English in India, and their usurped commerce.

(Signed)

TREILHARD, President.

LAGARDE, Sec. Gen.

Letter from Citizen Belleville to the Ligurian Government, on the 18th August 1798.

THE consul and chargé d'affaires of the French republic informs the Executive Directory of the Ligurian republic, that he has received dispatches from the French Directory, stating, that the Court of Naples has been invited by the ambassador of the French republic to adhere strictly to the last treaty made between the two powers, which forbids the receiving of more than four English ships of war in all the ports of the Neapolitan dominions, and not in any particular one, otherwise the English fleet might take refuge in the Two Sicilies, by distributing four ships in each harbour.

That the English, not finding the asylum they expected in the south of Italy, will necessarily look for one in some part of this peninsula; and that it is important to shut them out even from this last resource.

That the intimate relations existing between Liguria and France give the Directory of the French republic reason to hope that the Ligurian government will take every measure which circumstances may require, for closing all its ports against the common enemy, the infamous English, and removing this common enemy from its coast; that the consul is charged to make the formal demand of this measure; and also that of fortifying the Gulf of Spezzia, and all other parts of the Ligurian coast, which might be liable to be insulted by the English.

(Signed)

BELLEVILLE.

Copy of a Letter from the Minister of the Interior to the Chevalier Azara, the Spanish Ambassador.

I HAVE the honour to present you with some copies of a letter which I have addressed to different departments of the republic, encouraging them to give a greater activity and extent to their intercourse of commerce and of the arts with the Spanish dominions. It affords me infinite satisfaction to have it in my power to acquaint them, that the King of Spain grants a protection equally flattering and openly avowed to the produce of our industry.

The choice which he has made of you, Sir, to represent him with the French republic, is less with regard to you a mark of his esteem, than a pledge of his friendly intentions towards France.

He has given us a fresh instance of it by shutting the harbours of his dominions against all English merchandise; it is now, therefore, that it may be said with truth to Frenchmen, "The Pyrenees are no more:" this I may announce to our artists and to our traders; and I do not hesitate to assure them, that our rivals the islanders shall not succeed in re-establishing those barriers, as long as Spain shall entrust its interests to ministers like you.

(Signed) FRANÇOIS DE NEUFCHATEAU.

The Chevalier Azara to the Minister of the Interior.

Citizen Minister, *Paris, the 23d September 1798.*

I HAVE just received, to my great satisfaction, your letter of the 4th complementary day, together with the copies of the letter which you have addressed to the departments of the republic, in order to revive their industry and commerce, by proposing to them the facilities which Spain holds out to them by its position, by its amity with France, and by the prohibition of English merchandise.

The republic may rely upon the loyalty of the King my master, and of my nation, who will be always happy to draw closer the ties that unite them to the French nation, their natural ally, by letting it into a share of a commerce that must equally enrich them, while it lowers the trade of a proud and monopolizing government.

The honourable expressions which you address to me personally are highly flattering to my heart; and I accept of them with gratitude through the medium of a minister of your enlightened understanding, and as the sentiments of a government whose confidence and esteem it shall ever by my ambition to deserve.

Please to accept, Citizen Minister, the assurances of my high consideration.

(Signed) J. NICHOLAS DE AZARA.

AFFAIRS OF IRELAND.

By the Lord Lieutenant and Council of Ireland.

A PROCLAMATION.

CAMDEN.

WHEREAS a traitorous conspiracy, existing in this kingdom, for the subversion of the authority of the Majesty and the Parliament, and for the destruction

Y y 2

constitution and government, hath considerably extended itself, and hath broken out into acts of open violence and rebellion :

We have therefore, by and with the advice of his Majesty's Privy Council, issued the most direct and positive orders to the officers commanding his Majesty's forces, to employ them with the utmost vigour and decision for the immediate suppression thereof, and also to recover the arms which have been traitorously forced from his Majesty's peaceable and loyal subjects, and to disarm the rebels, and all persons disaffected to his Majesty's government, by the most summary and effectual measures.

And we do hereby strictly charge and command all his Majesty's peaceable and loyal subjects, on their allegiance, to aid and assist, to the utmost of their power, his Majesty's forces in the execution of their duty, to whom we have given it strictly in command to afford full protection to them from all acts of violence which shall be attempted against their persons or properties.

Given at the Council Chamber in Dublin, the 30th day of March 1798.

Clare, C.	Gosford	H. Cavendish
Charles Cashel	Pery	J. Blaquiere
W. Tuam	O'Neill	H. Langrishe
Drogheda	Castlereagh	Theo. Jones
Ormond and Ossory	H. Meath	Jos. Cooper
Shannon	Glentworth	D. Latouche
Altamont	Callan	James Fitzgerald
Clonmell	Tyrawley	R. Ross
Ely	John Foster	Isaac Corry
Dillon	J. Parnell	Lodge Morres.

God save the King.

Notice issued by Order of the Commander in Chief.

WHEREAS his Excellency the Lord Lieutenant in Council has, in consequence of the daring acts and depredations committed in this country, ordered and directed, by his proclamation bearing date the 30th March last, and by his particular orders thereon, that the military should use the most summary means to repress disturbances, and to recover all arms taken from the yeomanry and well-affected, and other concealed arms and ammunition ; all the people concerned in taking or concealing these arms are required to give them up within ten days of the publication of this notice, which if they do, they may be assured no violence whatever will be done to them or to their properties ; but if they do not, they are informed that the troops will be quartered in large bodies, to live at free quarters among them, and other very severe means will be used to enforce obedience to this notice.

And

And those who have knowledge where arms are concealed, are called upon to give information, which they may do in any private manner to the nearest civil magistrate, or commanding officer of his Majesty's forces, or of the yeomanry corps. Secrecy shall be observed with respect to them, and they shall be rewarded when their report is proved to be true.

Should the deluded and evil-disposed among the people in this country still persevere in robbing and murdering, and committing other acts of violent insubordination to the laws of their country, they are informed, that the Commander in Chief will be obliged to have recourse to those powers with which he has been invested, to bring them to immediate punishment.

Given at head quarters at Kildare, the 3d April 1798.

By order of the Commander in Chief,

FRED. MAITLAND, Sec.

Notice distributed in all the Towns and Villages of the Queen's County in the Beginning of April.

THE commanding officer commanding the district of Queen's county, orders, that a correct list of the names of the persons residing in each house should be placed on the door, or some conspicuous part of it.

It is to be made known to the inhabitants, that from the hour of nine o'clock at night till day-break the next morning, they are to remain in their houses, and not to admit any strangers whatever.

Patroles are to make domiciliary visits at uncertain periods, between the hours of nine o'clock and daybreak, and after calling over the names, if it is found that any person, whose name is not inserted in the list, is in the house, he is to be made prisoner; or if any person is absent, the rest of the inhabitants are to be accountable for him, and measures are to be taken to discover where he is, and to apprehend him.

Should the list by any accident be destroyed, or torn down, the owner of the house is within two hours after to apply to the magistrate or officer upon the spot for a new one, on pain of punishment.

It shall be in the power of any magistrate or officer to give a permit to any person who shall assign a good reason for wishing to be absent on any particular night during the period alluded to.

The magistrates and gentlemen of the yeomanry are requested to assist in executing this order.

Notice

*Notice issued by Major-general Duff at Limerick on the 12th
April 1798.*

THE Commander in Chief gives this public notice, that the Lord Lieutenant and Council have issued orders to him, to quarter troops, to press horses and carriages, to demand forage and provisions, and to hold courts martial for the trial of offences of all descriptions, civil and military, with the power of confirming and carrying into execution the sentences of all such courts martial, and to issue proclamations.

The Commander in Chief calls on the general officers to procure of the magistrates the best accounts they can give of the number of arms taken from the yeomanry and the well-affecting — of arms that have been concealed, and of pikes that have been made, which are to be recovered and taken possession of by the military.

They are also to communicate to the people, through the priests and by one or two men selected from each town-land, the purport of the following notices :

That the order, if complied with, will be a sign of their general repentance ; and not only forgiveness will follow, but protection.

That they must be sensible, that it is infinitely better for them to remain at home quietly, minding their own affairs, than committing acts which must bring on the ruin of themselves and their families.

As it will be impossible, in some degree, to prevent the innocent from suffering with the guilty, the innocent have means of redress, by informing against those who have engaged in unlawful associations, and in robbing houses of arms and money.

The people must be very ignorant not to know, that notwithstanding the fair promises of the French, that they have first deceived and then plundered every country into which they have come : and they are therefore forewarned, that in case of invasion from the French, if they should attempt to join the enemy or communicate with him, or join in any insurrection, they will be immediately put to death, and their houses and property destroyed.

The general officers call on the people to know, why they should be less attached to the government now than they were year ago, when they showed so much loyalty in assisting his Majesty's troops to oppose the landing of the French ? Is it not because they have been seduced by wicked men ?

Why should they think themselves bound by oaths, into which they have been seduced or terrified ?

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The people are requested to bring in their arms to the magistrate or commanding officers in their neighbourhood, who have directions to receive them, and no questions will be asked.

(Signed) JAMES DUFF, Major-general.

Notice issued on the 25th April by Lieutenant-general the Marquis of Clanricarde.

UNDER the authority of a proclamation issued by the Lord Lieutenant in Council, and in conformity to the orders of the Commander in Chief, I do hereby require and demand from the inhabitants of the province of Connaught a delivery of their arms within ten days space from the date hereof.

Any person delivering up their arms to the commanding officers of the different quarters shall have receipts given for them, in order to their being restored to them, if they are persons proper to be entrusted with arms, when the peace of the country shall be restored. And I thus publicly declare my intention, at the expiration of the above term, to put in force the orders I have received, by a general search for and seizure of arms throughout the province: to effect which purpose, I shall find it necessary, conformably to the instructions I have received, to place the troops at free quarters on the inhabitants, and to use severe measures to enforce obedience to my orders.

Those who will deliver up their arms may rely on the fullest protection from Government, and no questions will be asked; but those who are detected in secreting them must expect to be treated with the utmost severity.

Proclamation issued by the High Sheriff of the County of Tipperary.

WHEREAS, by my oath as sheriff, I am bound to maintain the law and constitution of this realm, and to enforce due obedience to, and execution of the same, and to do equal justice to the poor as to the rich:

And whereas in districts proclaimed, it is lawful for and the duty of the sheriff or other chief magistrate, to post a notice on the dwelling-house of any inhabitant who has fled from the same, enjoining him to return thereto within the space of twenty-four hours, under the penalties of the laws in that case provided:

And whereas many of his Majesty's subjects, either through fear or some worse cause, have abandoned their dwellings and retired into towns, whereby great injury to his Majesty's loyal and brave subjects, by their line of defence; and the inhabitants

grievously oppressed, and his Majesty's troops stinted in their quarters; and whereby a dastardly and evil example has been set to his Majesty's subjects:

And whereas many unfortunate people not meeting with that manly and spirited resistance from their superiors, which from their situations they were bound to make, but encouraged, from want of opposition, to commit acts of violence and outrage in the first instance, and at last to commit acts of open rebellion, to the great disgrace of this country and the dishonour of his Majesty's government, and to the ruin of the families of the several victims of the violated laws, and who have in the most solemn manner, in their last moments, declared they would never have proceeded to such excesses, but for the flight and cowardice of their superiors:

Now, in order to remedy these evils, the high sheriff commands all emigrants to return forthwith to their houses, to defend the same, and to provide quarters for his Majesty's troops.

And he hereby commands all mayors, bailiffs, headboroughs, and other peace officers, to see these his orders duly executed, and to compel such emigrants to quit their towns within forty-eight hours from this his proclamation, and to return to their respective homes. And he hereby commands all officers aforesaid, forthwith to notify to him the names and places of abode of such emigrants as neglect or refuse to comply with those his orders.

N. B. The high sheriff thinks it his duty to return his warmest thanks to Mrs. Bunbury, who, with the assistance of two men servants, so gallantly defended her house, and compelled the rebels to retire, though they had broken into the house, and were in possession of the hall: and he hopes that such heroic conduct of a lady of such high distinction, eminent for beauty and elegance of manners, will raise the crimson blush of shame on the pallid cheeks of those heroes who so disgracefully and cowardly surrendered large quantities of well-loaded arms to the rebels, on their first approach, without having spunk enough to fire even a single shot.

Done at Lisheen, April 20, 1798.

Orders issued by Lieutenant-general Stewart.

Adjutant general's Office, Cork, May 7, 1798.

WHEREAS it has been represented to Lieutenant-general Sir James Stewart, that in some parts of the country where it has been necessary to station troops at free quarters, for the restoration of public tranquillity, that general subscriptions of money

money have been entered into by the inhabitants to purchase provisions for the troops, by which means the end proposed of making the burden fall as much as possible on the guilty is entirely defeated, by making it fall in a light proportion on the whole, and thereby easing and protecting the guilty; it has been thought proper to direct, that wherever that practice has been adopted, or shall be attempted, the general officers commanding divisions of the southern district, shall immediately double, treble, or quadruple the number of soldiers so stationed; and shall send out foraging parties to provide provisions for the troops in the quantities mentioned in the former notice, bearing date the 27th April 1798; and that they shall move them from station to station, through the district and barony, until all arms are surrendered, and the tranquillity be perfectly restored, and until it is reported to the general officers, by the gentlemen holding landed property, and those who are employed in collecting the public revenues and tithes, that all rents, taxes, and tithes are completely paid up.

A Proclamation by the Right Honourable the Lord Mayor of the City of Dublin.

THOMAS FLEMING.

WHEREAS I have received information, that many persons, charged with seditious and treasonable practices, have of late left their usual places of residence in this kingdom, and are now secreting themselves in this city and the environs thereof, in order to evade being apprehended and brought to justice for the various atrocious offences of which they stand charged:

Now, in order to promote the discovery and apprehending of all such offenders, I do hereby call upon and strictly enjoin all persons within this city, and the liberties thereof, who harbour or entertain strangers, forthwith, and from time to time, to return to me, or any of the magistrates of this city, the names and descriptions of all such strangers as shall be lodged or entertained in their houses, with an account of the place from whence they respectively came, as diligent search will be made by me, and the several other magistrates, in order to discover and apprehend all such persons, and to punish, according to law, all those by whom they shall be so harboured or entertained. And I further call upon all his Majesty's loyal and well-disposed subjects to give information and assistance to carry this proclamation, and the intentions thereof, into effect.

And I also further require all inhabitants of this city, who have neglected registering their arms, forthwith to come forward and register the same, as the magistrates are determined to levy the penalty prescribed by law upon all persons with whom arms

shall be found, which have not been registered pursuant to act of Parliament.

Given at the Mansion-house, Dawson Street, the 11th day of May 1798.

Signed, by order of the Lord Mayor,
JOHN LAMBERT, Sec.

Letter sent to the Lord Mayor of Dublin by Lord Viscount Castlereagh.

My Lord,

Dublin Castle, May 21, 1798.

I AM directed by the Lord Lieutenant to inform your Lordship, that the disaffected in the city and neighbourhood of Dublin have been daring enough to form a plan for the purpose of possessing themselves, in the course of the present week, of the metropolis, and of seizing the executive government, and those in authority within the city. His Excellency, fully informed of their designs, has made the necessary military arrangements for completely defeating their desperate purpose, and for giving the fullest security to the persons and property of the loyal and well-disposed. His Excellency, nevertheless, feels it his duty to intimate their traitorous designs to your Lordship, and relies, that, in conjunction with the magistracy and the King's loyal subjects, you will exert the utmost possible energy in preserving tranquillity within the bounds of the metropolis; that your Lordship, without loss of time, will cause the strictest search to be made for concealed arms, and adopt such measures of general precaution as shall appear best calculated to defeat the designs of the rebellious against the King's government and our invaluable constitution.

I have the honour to remain, with the greatest truth and respect, my Lord, your Lordship's most obedient servant,

The Right Hon. the Lord Mayor.

CASTLEREAGH.

Notice issued by Lieutenant-general Lake.

LIEUTENANT-GENERAL Lake, commanding his Majesty's forces in this kingdom, having received from his Excellency the Lord Lieutenant full powers to put down the rebellion, and to punish rebels in the most summary manner, according to martial law, does hereby give notice to all his Majesty's subjects, that he is determined to exert the powers entrusted to him in the most vigorous manner, for the immediate suppression of the same; and that all persons acting in the present rebellion, or in any wise aiding or assisting therein, will be treated by him as rebels, and punished accordingly.

And Lieutenant-general Lake hereby requires all the inhabitants of the city of Dublin (the great officers of state, members the houses of Parliament, privy counsellors, magistrates, and itary persons in uniform, excepted) to remain within their pective dwellings from nine o'clock at night till five in the rning, under pain of punishment.

By order of Lieutenant-general Lake,
Commanding his Majesty's forces in this kingdom;
G. HEWETT, Adjutant-general.

Dublin, Adjutant-general's Office,
24th May 1798.

Proclamation issued by the Mayor and Sheriffs of Cork.

WHEREAS we have received information, that many seditious treasonable persons have of late left their usual places of abode, are now secretly residing in this city and its liberties: in or to discover and apprehend all such persons, we do hereby upon, and strictly command the several resident inhabitants this city and its liberties, as they shall answer at the utmost l of the law, forthwith, and from time to time, to return to he names and descriptions of all such strangers as shall be red or entertained in their houses, together with an account he places whence each separate stranger respectively came. I we do further call upon the several magistrates, the high and y constables, and all others his Majesty's loyal and well-dis- d subjects, to give information, and to be otherwise aiding assisting in carrying this proclamation into effect.

KINGSMILL BERRY, Mayor.
ROBERT HARDING, }
JOHN CUTHBERT } Sheriffs.
(the younger), }

Cork, May 23, 1798.

by the Right Honourable the Lord Mayor of the City of Dublin.

A PROCLAMATION.

THOMAS FLEMING.

WHEREAS the circumstances of the present crisis demand y possible precaution: these are therefore to desire all persons have registered arms, forthwith to give in, in writing, xact list or inventory of such arms at the Town Clerk's e, who will file and enter the same in a book to be kept for purpose; and all persons who have not registered their arms, hereby required forthwith to deliver up to me, or some other he magistrates of this city, all arms and ammunition of every l in their possession. And if, after this proclamation, any person

person having registered their arms shall be found not to have given in a true list or inventory of such arms; or if any person who has not registered, shall be found to have in their power or possession any arms or ammunition whatever, such person or persons will, on such arms being discovered, be forthwith sent on board his Majesty's navy, as by law directed.

And I do hereby desire, that all housekeepers do place upon the outside of their doors a list of all persons in their respective houses, distinguishing such as are strangers from those who actually make part of their family; but as there may happen to be persons, who, from pecuniary embarrassments, are obliged to conceal themselves, I do not require such names to be placed on the outside of the door, provided their names are sent to me. And I hereby call upon all his Majesty's subjects within the county of the city of Dublin, immediately to comply with this regulation, as calculated for the public security; as those persons who shall wilfully neglect a regulation so easy and salutary, as well as persons giving false statements of the inmates of their houses, must, in the present crisis, abide the consequences of such neglect.

Given at the Mansion-house this 24th day of May 1798.

Signed, by order, JOHN LAMBERT, Sec.

Notice issued by Lieutenant-general Sir James Stewart, commanding the Southern District in Ireland.

Adjutant-general's Office, Cork, May 24, 1798.

IT having been represented to Lieutenant-general Sir James Stewart, that notwithstanding troops have been stationed at free quarters in the barony of Imokilly, to enforce the surrendering of arms, none have yet been brought in, although he has reason to believe that vast numbers are concealed, and particularly pikes; and it having also been represented to the General, that an idea has been set forth, no doubt with a bad design, that the gentlemen of the barony, now satisfied that the rents, tithes, and taxes, are either actually paid, or shortly will be so, are to make application to the General, to have the public relieved from the free quartering of troops:

The General hereby declares, that he will resist any such application, should it be made, until all concealed arms are discovered, or given in: unless that the gentlemen of the barony give the most positive declaration in writing, that they do not feel the necessity of troops being stationed at free quarters within the barony; that after the most minute inquiries, they believe there are no concealed arms; and that they will be responsible to Government

vernment for the preservation of tranquillity within the barony ; and if this is not very shortly effected by the present means, he will march five hundred men, cavalry and infantry, under the command of Brigadier-general Sir C. Ross, into that barony, there to forage for themselves, until he shall be convinced that there is not an arm of any sort remains in the possession of the inhabitants, or concealed within the barony.

Should the free quartering be found unavoidable, in that case, wherever arms are found in the houses or on the grounds, the houses on the premises shall be set fire to, and the possessors sent to Duncannon Fort, or on board prison-ships.

It cannot be doubted, that the mild measures which have hitherto been opposed to every sort of outrage by murder, plunder, and resistance of the law, sufficiently show with how much reluctance severity is adopted ; but when once it becomes necessary for the re-establishment of public safety, then it must be severely felt, in order that it may be long remembered. What is most to be lamented is, that the innocent will suffer with the guilty, for the foraging will be general, and it is not possible for the troops to discriminate.

The General therefore calls on all the inhabitants, and that for the last time, to consider well of their conduct, and prevent the miseries which await them, for the general safety of the country, against the attempts of a threatening enemy, who would not proceed with the like reluctance to free quarters, were they once to effect a landing ; but, on the contrary, whose great object is a general plunder of the rich and of the poor.

By order of Lieut.-gen. Sir James Stewart, Bart.

NATHANIEL MASSEY, Assistant Adjutant-gen.

Paper read by Order of Dr. Troy at each Mass in all the Catholic Chapels in Ireland.*

IN the present awful and alarming period, when every good subject, every good Christian, views with grief and horror the desperate and wicked endeavours of irreligious and rebellious agitators to overturn and destroy the constitution, we should deem ourselves criminal in the sight of God, did we not, in the most solemn and impressive manner, remind you of the heinousness of violating the laws of our country, and of attempting, by insurrection and murder, to subvert the government of our gracious king, to whom the allegiance we consciously owe in common with all our other fellow-subjects, has been, with regard

* Dr. Troy is at the head of the Roman Catholic priesthood.

to most of us, solemnly attested in the presence of God, by a religious bond of an oath.

Let no one deceive you by wretched, impracticable speculations on the rights of man and the majesty of the people, or the dignity and independence of the human mind, on the abstract duties of superiors, and exaggerated abuses of authority; fatal speculations! disastrous theories! not more subversive of social order and happiness, than destructive of every principle of the Christian religion. Look at the origin and progress of these detestable doctrines. Their atheistical authors, seeing the intimate connexion between religious and civil principles, beheld, with the envious malignity of demons, the mutual support they afforded each other, for the spiritual and temporal advantage of man; and accordingly prepared the dreadful career of anarchy by the propagation (too successful, alas!) of impiety and licentiousness.

We bitterly lament the fatal consequences of this antichristian conspiracy. But surely, my brethren, your known attachment to the principles of religion ought to have preserved you from the destroying influence of such complicated wickedness. Ye dearest Catholics, it is to the benign principles of the Christian religion, that we recall your serious attention at this important crisis. They will shield you from the evils which surround us: Submission to established authority, and obedience to the law are amongst the duties prescribed by religion. Every violation of these duties is highly criminal. Wherefore, if any among you have been unfortunately seduced into a combination against the state, under any pretext whatever, you are bound in conscience instantly to withdraw yourselves from it, and by sincere repentance, and future loyal conduct, atone for your past sinful enormity. Without this sincere sorrow and promise of amendment, you cannot expect absolution in the tribunal of penance nor mercy from Government. Neither one nor the other is extended to impenitent sinners, or offenders, without profanation or injustice.

Resolve, then, we beseech you, to deliver up your arms of every kind, without delay or reluctance, to those appointed to receive them. Unite with all your loyal and peaceable fellow subjects, to put down and crush the wicked spirit of insurrection so disgraceful to the character of Irishmen. It has already produced the most horrid effects. Assassinations, murders, atrocities of every kind have been committed. Lose not a moment to manifest your detestation of the principles and causes leading to such consequences. The shortest delay in complying with this religious duty will be justly considered as an indication of disloyalty. You will be considered as enemies to the state, and subjected to a sudden death, under the operation of martial law, already proclaimed

claimed. Your property, your very existence are endangered by a suspicious or equivocal conduct. It must be open, candid, and decided, in supporting religion and the constitution.

We exhort you then, in the name and by the authority of Jesus Christ, whose will we are bound to announce and explain to you, to keep stedfast in the faith—to lead sober, righteous, and godly lives, giving offence to no one—to fear God, and honour the King.

May the gifts of the Holy Ghost, which the church invokes this day on the whole body of the faithful, fill your hearts with an ardent love of God and man.

May the peace of God, which surpasses every understanding, preserve your hearts and minds in Jesus Christ. Amen.

Whitsunday, May 27th, 1798.

J. T. T.

Proclamation issued by Major-general Nugent, to the Inhabitants and Insurgents of the County of Down, dated Head-quarters, Belfast, June 11, 1798, five P. M.

MAJOR-GENERAL Nugent, commanding his Majesty's forces in the north of Ireland, being desirous of sparing the effusion of human blood, and the total devastation of the county of Down, is pleased to, and does hereby, extend to the insurgents in the said county, the same terms of submission and atonement that have been so eagerly and gratefully accepted by many of their equally deluded neighbours in the county of Antrim, to wit—

That if those unfortunate persons, who, by the arts of selfish and designing people, have been seduced from their allegiance to their true and lawful sovereign, his Majesty King George the Third, to become rebels and traitors to their country, will return to their duty as faithful and peaceful subjects, and return to their respective houses and occupations, the General positively and surely engages to them, that no one whatever in the county (with the exceptions hereafter mentioned) shall be molested, or their property injured; and that as a proof of their return to loyalty and good government, they must, in the course of twenty-four hours after the date of this proclamation (making allowance for the more distant part of the county), liberate all the loyal persons of every description now in their custody, and send them to their respective places of abode; and that they also depute some persons to receive all their arms and offensive weapons of every denomination, with the ammunition belonging thereto, who shall be sent to the General to know where they are to be deposited—and that they also deliver up the principal persons who have been most active in instigating or compelling them to engage in their late wicked practices.

Should

Should the above injunctions not be complied with within the time specified, Major-general Nugent will proceed to set fire to and totally destroy the towns of Killinchy, Killeleagh, Ballynahinch, Saintfield, and every cottage and farm-house in the vicinity of those places, carry off the stock and cattle, and put every one to the sword who may be found in arms.

It particularly behoves all the well-affected persons who are now with the rebels from constraint, and who it is known form a considerable part of their numbers, to exert themselves in having these terms complied with, as it is the only opportunity there will be of rescuing themselves and properties from the indiscriminate vengeance of an army necessarily let loose upon them.

Orders issued on the 13th June, by Major-general Morrison.

MAJOR-GENERAL Morrison requests that officers commanding corps will give the strictest orders to prevent setting fire to houses or buildings of any kind; a mode of punishment that can lead only to the most pernicious consequences, and that seldom or ever falls on the guilty, but, on the contrary, on the landlord, the wife and children of the criminals, who, however iniquitous the husband or father, ought always to be spared and protected.

And he has likewise received orders from Lieutenant-general Lake that free quarters are no longer to be permitted; neither are foraging parties to be allowed to go out unless under the care of an officer, who is to be responsible for every act; in order that the friends of Government, the helpless and infirm, may not be involved in one indiscriminate mass of destruction with the rebellious and ill-disposed.

ERIN GO BRAH.

Proclamation of the People of the County of Wexford.

June 9, 1798.

WHEREAS it stands manifestly notorious, that James Boyd, Hawtry White, Hunter Gowan, and Archibald Hamilton Jacob, late magistrates of this county, have committed the most horrid acts of cruelty, violence, and oppression, against our peaceable and well-affected countrymen:

Now we the people, associated and united for the purpose of procuring our just rights, and being determined to protect the persons and properties of those of all religious persuasions who have not oppressed us, and are willing with heart and hand to join our glorious cause, as well as to show our marked disapprobation
and

and horror of the crimes of the above delinquents, do call upon our countrymen at large to use every exertion in their power to apprehend the bodies of the aforesaid James Boyd, Hawtry White, Hunter Gowan, and Archibald Hamilton Jacob, and to secure and convey them to the gaol of Wexford, to be brought before the tribunal of the people.

God save the People.

Done at Wexford this 9th day of June 1798.

B. B. HARVEY, Comm. in Chief.
EDWARD ROCHE, Secretary.

The Adjutant-general of the French Army at Killala, to the Commander of the English Troops at Ballina.

Sir,

I SEND you a prisoner who appears to wish to return home. Under the circumstances in which we are placed, we will do every thing in our power to alleviate the miseries of war, and to attain our sole object, which is to procure a lasting peace, and to restore tranquillity to Europe.

(Signed)

SARRAZIN.

Copy of a Paper found at Castlebar by Lieutenant-colonel Craufurd, among the Archives of the Provisional Government which the French elected for the Province of Connaught.

LIBERTY.

EQUALITY.

Army of Ireland.

At the Head-quarters at Castlebar, the 14th Fructidor, in the 6th year of the French republic, one and indivisible.

GENERAL Humbert, commander in chief of the army of Ireland, wishing to organize, as soon as possible, an administrative power for the province of Connaught, orders as follows:

1. The government of the province of Connaught shall reside at Castlebar till further orders.
2. The government shall be composed of twelve members, who will be nominated by the commander in chief of the French army.
3. Citizen John Moore is appointed president of the province of Connaught. He is particularly charged with the nomination and union of the members of the government.
4. The government shall immediately direct its attention to the organization of the militia of the province of Connaught,

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and

and to securing the provisions necessary for the French and Irish armies.

5. There shall be formed eight regiments of infantry, each of twelve hundred men ; and four of cavalry, each of six hundred men.

6. The government will declare rebels and traitors to their country, all those who, having received arms and clothing, shall not join the army within twenty-four hours.

7. Every individual, from sixteen to forty, inclusively, is called upon, in the name of the Irish republic, to repair immediately to the French camp, to march in a mass against the common enemy, the government of Ireland—the English ; whose destruction alone can secure the independence and happiness of ancient Hibernia.

The General commanding in chief,
(Signed) HUMBERT.

Proclamation issued by Major-general St. John, commanding the Army in the District of Clonmell.

MAJOR-GENERAL St. John, anxious to preserve the tranquillity of the district under his command, and to obtain, for the benefit of the country in general, all those good effects which an unanimous and cordial co-operation must, at this moment particularly, produce, recommends it most earnestly to his Majesty's subjects of all persuasions, that they lay aside the distinguishing badges of their different sects of religion, and with them to bury all those animosities and jealousies which have too long distracted this kingdom, and prevented the restoration of that tranquillity which is so necessary for its immediate security and future prosperity.

The Major-general therefore hopes that all loyal subjects will show by their conduct to-morrow (the 1st of July), that they will sacrifice private prejudices for the advantage of the public weal ; and that they will recommend to all descriptions of people the adoption of a line of conduct founded on this principle.

Notice issued by Major-general Nugent, commanding the Northern District.

Belfast, July 27.

WHEREAS a great many of the leaders and principal agitators in the rebellion have secreted themselves in the county of Down, and go through the country during the night to persuade and force the people to rise again in arms ; I hereby offer a reward of fifty guineas for the apprehension of each of the following

ing persons. I also warn the inhabitants of the county in general, that if any of them are convicted of harbouring one or more of those persons, or, knowing where they are, do not give immediate notice thereof to the officer commanding at the nearest post, they will suffer as capital offenders, and their property be destroyed. Should any person be weak or wicked enough to join these desperate outlaws, either by force or from inclination, he cannot expect mercy; and I therefore conjure every one to give immediate information against such persons as may go through the country for the purposes above mentioned, and also to do all in their power to take them up.

If the people do not attend to this warning, they will have none but themselves to blame for the distresses brought on their families.

[Several names were inserted at the end of this Notice.]

Substance of the Agreement entered into between the Irish Government and the State Prisoners confined in the several Gaols.

Sunday, July 29, 1798.

WE, the undersigned state prisoners confined in the three prisons of Newgate, Kilmainham, and Bridewell, engage to give every information in our power of the whole of the internal transactions of the United Irishmen, and that each of the prisoners shall give detailed information of every transaction that has passed between the United Irishmen and foreign states; but that the prisoners are not, by naming or describing, to implicate any person whatsoever; and that they are ready to emigrate to such country as shall be agreed on between them and Government, giving security not to return to this country without permission of Government, and not to pass into an enemy's country.

It is on their complying with these terms that they are to be freed from prosecutions, and also Mr. Oliver Bond to be permitted to take the benefit of this proposal. The state prisoners also expect that this proposal may be extended to such persons in custody, or not in custody, as may choose to benefit by it.

(Signed)

ARTHUR O'CONNOR.
T. A. EMMET.
W. M'NEVIN.
S. NEILSON.
H. JACKSON.
J. SWEETMAN, &c.

A PROCLAMATION.

WHEREAS the state prisoners in the several prisons in Dublin have proposed to his Excellency the Lord Lieutenant "to

give every information in their power of the whole of the internal transactions of the United Irishmen ; and that each of them would give detailed information of every transaction that has passed between the United Irishmen and foreign states, without however naming or describing, so as to implicate any person whatever ; and that they were ready to emigrate to such country as should be agreed upon between them and Government, giving security not to return to this country without the permission of Government, and not to pass into an enemy's country, if on their so doing they should be freed from prosecution ; and that Mr. Oliver Bond was to be permitted to take the benefit of the said proposal ; and that the state prisoners also hoped that the benefit of the said proposal would be extended to such persons in custody, or not in custody, as might choose to take the benefit of it :” Which proposal is signed by Arthur O'Connor, Thomas Addis Emmet, William M'Nevin, Samuel Neillson, Henry Jackson, John Sweetman, and by upwards of seventy other prisoners :

And whereas his Excellency the Lord Lieutenant has been graciously pleased to accept of the said proposal, and has agreed to the terms thereby offered ; in consequence whereof the said state prisoners have been examined before the secret committee of the two Houses of Parliament, and have given full information of the transactions of the United Irishmen :

Now I do, by this my proclamation, make known to the several state prisoners within this district, and to others whom it may concern, the terms and conditions upon which the state prisoners in Dublin have obtained his Majesty's pardon, in order that those who think fit, may entitle themselves to an equal distribution of the King's most merciful and gracious intentions ; and I do hereby require those whom it may concern, within this district, forthwith to signify to me, whether they are ready to subscribe to similar terms and conditions, and thereby entitle themselves to the like measure of his Majesty's mercy ; and in order that all persons now in custody may have a full opportunity of signifying their intentions herein, I will send proper persons to each prison within this district, for the purpose of receiving their respective determinations.

G. NUGENT, Major-general, commanding
Northern District.

Belfast, August 23, 1798.

*A Proclamation by the Lord Lieutenant General and General
Governor of Ireland.*

CORNWALLIS.

WHEREAS it appears that during the late invasion many of the inhabitants of the county of Mayo, and counties adjacent—
di=

did join the French forces, and did receive from them arms and ammunition; and whereas it may be expedient to admit such persons to mercy, who may have been instigated thereto by designing men; we do hereby promise his Majesty's pardon to any person who has joined the enemy, provided he surrenders himself to any of his Majesty's justices of the peace, or to any of his Majesty's officers, and delivers up a French firelock and bayonet, and all the ammunition in his possession—and provided he has not served in any higher capacity than that of private.

This proclamation to be in force for thirty days from the date hereof.

Given at his Majesty's Castle of Dublin,
this 11th day of September 1798.

By the Lord Lieutenant's command,
CASTLEREAGH.

Report from the Committee of Secrecy of the Irish House of Commons.

Mr. Speaker,

THE Committee of Secrecy appointed to take into consideration the papers presented to the House on the 17th day of July last by the Right Honourable Lord Viscount Castlereagh, have directed me to report as follows:

Your Committee, in reporting upon the papers referred to them, find it necessary to recall the attention of the House to a Report of a Secret Committee of the Lords in the year 1793, as also to the Reports of Secret Committees of both Houses of the late Parliament, presented in the course of the year 1797.

Your Committee find that the allegations stated in those Reports are fully confirmed by further evidence and by subsequent events; and the facts they contain, connected with the information arising out of the present inquiry, will enable the House to trace in all its parts the conspiracy carried on by the party styling themselves United Irishmen, from its first appearance under the pretext of a reform till it connected itself with the foreign enemy, and broke out into a wide and extended rebellion.

Before your Committee proceed to trace the extension and progress of the system of treason since the period of the last Report (the organization of which at that time appeared to have been in a great degree confined to the northern counties, but shortly after extended itself throughout other parts of the kingdom), they are desirous of adverting to the prominent facts established by former inquiries, and to the measures adopted by the government to meet the dangers which then, and at the period immediately subsequent to the last Report, existed in the province of Ulster.

The society under the name of the United Irishmen, it appears,

pears, was established in the year 1791; its founders held forth what they termed Catholic Emancipation and Parliamentary Reform, as the ostensible objects of their union: but it clearly appeared, from the letter of Theobald Wolfe Tone, accompanying their original constitution, as transmitted to Belfast for adoption, that from its commencement, the real purpose of those who were at the head of the institution, was to separate Ireland from Great Britain, and to subvert the established constitution of this kingdom: in corroboration of which your Committee have annexed to this Report several of their early publications, particularly a prospectus of the society, which appeared in the beginning of the year 1791; as also the plan of reform which they recommended to the people.

For the first three years their attention was entirely directed to the engaging in their society persons of activity and talents in every quarter of the kingdom; and in preparing the public mind for their future purposes by the circulation of the most seditious publications, particularly the works of Thomas Paine. At this time however the leaders were rather cautious of alarming minds not sufficiently ripe for the adoption of their principles, by the too open disclosure of the real objects they had in view.

In 1795 the test of the society underwent a striking revision; the words in the amended test stand, "A full representation of all the people," omitting the words "In the Commons House of Parliament;" the reason for which has been admitted by three members of the Executive examined before your Committee to be, the better to reconcile reformers and republicans in a common exertion to overthrow the state.

In the summer of 1796 great numbers of persons, principally in the province of Ulster, had enrolled themselves in this society. About the same period, as will be more fully explained hereafter, a direct communication had been opened by the heads of the party with the enemy, and French assistance was solicited and promised to be speedily sent to aid the disaffected in this kingdom.

With a view of being prepared as much as possible to co-operate with the enemy then expected, and in order to counteract the effect of the armed associations of yeomanry established in October 1796, directions were issued by the leaders to the societies to form themselves into military bodies, and to be provided with arms and ammunition.

These directions were speedily obeyed; the societies assumed a military form; and it appears by the original papers seized at Belfast in the month of April 1797, that their numbers at that period in the province of Ulster alone were stated to amount to nearly one hundred thousand men: that they were very largely supplied

fire-arms and pikes; that they had some cannon
tion, and were diligently employed in the study of
tics; in short, that nothing was neglected by the
could enable them to take the field on the arrival of
or whenever they might receive orders to that effect
superior officers, whom they were bound by oath to

the well-affected from joining the yeomanry corps,
the administration of justice altogether ineffectual,
ive system of terror was put in operation; persons
the yeomanry, magistrates, witnesses, jurors, in a
class and description of people who ventured to sup-
s, became objects of the most cruel persecution in
; property, and even in the line of their business;
les were compelled to take their illegal oaths, and
herence to the party as a means of security.

ter end of 1796, and beginning of 1797, the loyal
of Ulster suffered most severely from the depredations
ed Irishmen; throughout the province they were
heir arms; the most horrid murders were perpetrated
ies of men in open day, and it became nearly impos-
; the offenders to justice; from the inevitable destruc-
waited the witnesses or jurors who dared to perform

committee will now shortly trace the measures resorted
ffing these disturbances, and for extending protection
affected.

summer of 1796, the outrages committed by a banditti
selves Defenders, in the counties of Roscommon,
ongford, Meath, Westmeath, and Kildare, together
ous feud prevailing in the county of Armagh, induced
e to pass a temporary act of Parliament, generally
surrection Act, by which the Lord Lieutenant and
re enabled, upon the requisition of seven magistrates
ty assembled at a sessions of the peace, to proclaim
r any part thereof to be in a state of disturbance;
h limits this law, giving increased power to the ma-
s to have operation.

riots in Ulster in which outrages prevailed, occasioned
and persecuting spirit of the United Irishmen, were
of the winter of 1796, and spring of 1797, put un-
sions of the act above mentioned; and your Com-
to observe, that although where the law was put in
activity by the magistrates, very beneficial conse-
e found to result from it, yet the treason was then
noted to yield to this remedy.

liament being assembled in October 1796, the d^s

gerous progress of the treason, and the active preparations of the enemy for the invasion of this kingdom, were announced in the speech from the throne. Bills were immediately brought in and passed without delay for suspending the Habeas Corpus act, as also for the establishment of the yeomanry;—measures to which your Committee feel themselves justified in attributing the salvation of the country, and which being taken immediately subsequent to the formal alliance concluded between the Executive of the Union and the French Directory, at once prove the vigilance of Government, as also their well-founded confidence in thus entrusting the defence of the kingdom and its constitution to the loyalty of its inhabitants.

Your Committee have to observe with great satisfaction, that the estimate for the yeomanry as first laid before Parliament was for a number not exceeding twenty thousand men—that in the course of six months about thirty-seven thousand were arrayed; and that the zeal of the country had so risen with its difficulties, that during the late rebellion the yeomanry force exceeded fifty thousand men, and might have been increased to a much greater extent. It is unnecessary to recall to the recollection and gratitude of Parliament and of the country, the services they have performed during the unhappy struggle in which we have been engaged; sharing all the hardships and dangers, and performing all the duties in common with the King's regular and militia forces.

The next measure to which your Committee beg leave to point the attention of the House is, the proclamation of the Lord Lieutenant and Council, bearing date the 6th of November 1796, issued in consequence of the disaffected having adopted a practice of marching in military array, and assembling in large bodies, in some instances to the number of several thousands, under the pretence of saving corn and digging potatoes; but in fact to terrify the peaceable and well-disposed, and to compel them to enter into their treasonable associations.

The same system has since frequently been had recourse to by the United Irishmen in other parts of the kingdom under various pretences, such as funerals, foot-ball meetings, &c. with a view of displaying their strength, giving the people the habit of assembling from great distances upon an order being issued, and making them more accustomed to show themselves openly in support of the cause.

The next measure to which the Government was driven by the traitorous excesses of the United Irishmen, and to which your Committee beg leave to advert, is the proclamation of Lieutenant-general Lake, then commanding in Ulster, issued on the 13th of March, in consequence of a letter addressed to him by the Lord Lieutenant's secretary, Mr. Pelham.

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The disorders which called for this interposition of military authority are sufficiently set forth in the body of the letter ; and your Committee have only to observe, that in carrying Lieutenant-general Lake's proclamation into effect, no acts of severity whatever were used by the military towards persons concealing or refusing to give up their arms ; but that, on the contrary, the search for the arms of the disaffected was conducted with all possible mildness ; and that where persons voluntarily brought in their arms, certificates were granted by the magistrates, and assurances given to the people that their arms would be returned as soon as the country was restored to tranquillity. It must however be observed, that in June following, when a general insurrection was decided on by the party, and upon the point of breaking out in the province of Ulster, more vigorous means of compelling the surrender of arms were had recourse to, under the authority of the proclamation of the 17th of May :—a measure absolutely indispensable to the public security, and, under the circumstances of the case, strictly defensive.

Of the quantity of arms which appeared by their own report to be in the hands of the disaffected, comparatively few were obtained by the search then made in Ulster by General Lake's orders ; and it is also to be observed, that previously to, and during the circuit which took place in the month of April 1797, acts of violence of every description became more frequent, and were at the same time so systematically directed, with a view to stop the course of criminal justice against the United Irishmen, that the Crown prosecutions in the disturbed counties proved from their failure an encouragement rather than a restraint upon the reasonable projects of the party.

The Report of the Secret Committee was followed by the proclamation of the 17th of May 1797, which after reciting many acts of outrage and rebellion that had been committed, and offering pardon with certain exceptions to all persons guilty of the said offences who should surrender within the period of a month, and give security for their future good behaviour, declared that the civil power had proved ineffectual, and that it became necessary to employ the military force for the immediate suppression of such rebellious attempts.

It appears to your Committee, that notwithstanding this measure of mercy and warning to the disaffected, in the latter end of the same month, as will be more fully explained hereafter, a general insurrection in Ulster was decided on, and the plan of attack for each county arranged.

The intention transpired, and was defeated by the active exertions of the army ; notwithstanding which, a partial rising did take place near the mountains in the county of Down, where the insurgents, finding themselves unsupported, soon dispersed.

The effect of the measures then adopted was immediately felt; the arms of the disaffected by necessary acts of coercion were collected throughout the province in great numbers: the loyal were encouraged to declare themselves—such as had been misled, came in in crowds to take the benefit of the proclamation of pardon, which was extended for another month; outrage ceased, and public confidence was so far restored throughout Ulster in the course of the months of July and August, that the laws were administered with effect in the different counties during the autumn circuit, and the manufacturing industry of the country was restored to its usual vigour during the remainder of that year. Your Committee think it peculiarly incumbent on them to state, that during and subsequent to the assizes of the said circuit, the civil authority was found throughout Ulster fully adequate to the preservation of the public peace, and that all military interference was generally discontinued from that period.

It appears to your Committee, that the inferior societies of United Irishmen, in general, discontinued their meetings; that the people applied themselves to their ordinary occupations; and though some of the higher committees were kept alive by the active leaders in the treason, yet it will appear from an inspection of the authentic reports of their proceedings, that for several months only a proportion of the counties of Ulster were represented in the provincial committee; that the others refused to send delegates; that little money was collected; that they could not succeed in reviving the inferior societies; and that although they encouraged each other in the hopes of bringing the lower orders of the people again into action in case the enemy should land, they were not able to make any impression of consequence, till the insurrection in Leinster was on the point of breaking forth; and your Committee feel themselves warranted in stating, that the beneficial consequences arising from the measures adopted in the year 1797, in the north, were strongly exemplified in the feebleness of the late insurrection in that quarter, and in the spirit displayed on that occasion by the yeomanry and loyal inhabitants of the province of Ulster.

It appears to your Committee, that the leaders of the treason, apprehensive lest the enemy might be discouraged from any further plan of invasion, by the loyal disposition manifested throughout Munster and Connaught on their former attempt, determined to direct all their exertions to the propagation of the system in those provinces which had hitherto been but partially infected; With this view emissaries were sent into the south and west in great numbers, of whose success in forming new societies, and administering the oaths of the Union, there were, in the course of a few months, but too evident proofs in the introduction of
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the same disturbances and enormities into Munster with which the northern province had been so severely visited.

In May 1797, although numbers had been sworn both in Munster and Leinster, the strength of the organization, exclusively of Ulster, lay chiefly in the metropolis and in a few neighbouring counties, namely, Dublin, Kildare, Meath, Westmeath, and the King's County.

It is observable, that the counties in which defenderism had prevailed easily became converts to the new doctrines; and in the summer of 1797, the usual concomitants of the treason, namely, the plundering houses of arms, the fabrication of pikes, and the murder of those who did not join their party, began to appear in the midland counties.

In order to engage the peasantry in the southern counties, particularly in the counties of Waterford and Cork, the more eagerly in their cause, the United Irishmen found it expedient, in urging their general principles, to dwell with peculiar energy on the supposed oppressiveness of tithes (which had been the pretext for the old White-boy insurrections). And it is observable, that in addition to the acts of violence usually resorted to by the party, for the furtherance of their purposes, the ancient practice of burning the corn and houghing the cattle of those against whom their resentment was directed was revived, and very generally practised in those counties.

With a view to excite the resentment of the Catholics, and to turn their resentment to the purposes of the party, fabricated and false tests were represented as having been taken to exterminate Catholics, and were industriously disseminated by the emissaries of the treason throughout the provinces of Leinster, Munster, and Connaught.—Reports were frequently circulated amongst the ignorant of the Catholic persuasion, that large bodies of men were coming to put them to death. This fabrication, however extravagant and absurd, was one among the many wicked means by which the deluded peasantry were engaged the more rapidly in the treason.

In addition to the above arts practised to excite the people, and to turn local prejudices to the furtherance of their purpose, the party did not fail to avail themselves, to the fullest extent, of the most wicked and licentious abuse of the press. In the summer of 1797, an infamous paper called the Union Star was privately printed and circulated, inculcating the principles of insurrection and assassination in direct terms, and containing a description of those persons by name (particularly magistrates and such as had served on juries), who were to be held out to the party as objects of assassination, on account of their active loyalty, or a conscientious discharge of their duty.

Towards the end of the same year, a newspaper called the

Prefs was established, lately published in the name of Mr. A. O'Connor, as proprietor thereof, who has admitted before your Committee, that he was for more than a year a member of the Executive Directory of the Irish Union, and who, as it appears to your Committee from various channels of information, was a most active and confidential leader of their treason in its principal departments both at home and abroad, which conveyed periodical exhortations to all manner of outrage and insubordination. Every species of misrepresentation and sophistry was made use of to vilify the government, to extend the Union, to shake the connexion with Great Britain, to induce the people to look to French assistance, to exaggerate the force and numbers of the disaffected, and systematically to degrade the administration of justice in all its departments. This paper, conducted on principles still more licentious than the Northern Star (which had contributed so largely to the extension of treason in the north), was distributed throughout all parts of the kingdom, and, from the activity of its partisans, had immediately a more extensive circulation than any paper long established.

The measures thus adopted by the party completely succeeded in detaching the minds of the lower classes from their usual habits and pursuits, insomuch that, in the course of the autumn and winter of 1797, the peasantry in the midland and southern counties were sworn, and ripe for insurrection. Pikes were fabricated in such numbers, that in the single county of Kildare, in consequence of the measures adopted by Government, twelve thousand have been surrendered; and your Committee have every reason to believe, that a still greater portion was retained; and that the preparation of arms in other counties by the disaffected was nearly as extensive as the organization itself, will appear as well from the numbers seized in different parts of the kingdom, amounting in the whole to above one hundred and twenty-nine thousand of different descriptions, as from the fact, that wherever the insurrection broke out, the mass of the people were universally armed either with muskets or pikes.

While they were thus maturing their design, and secretly acquiring the strength and consistency of a revolutionary army, they omitted no artifice by which they could hope either to weaken or embarrass the government of the country. So early as the year 1792, the seduction of the soldiery made a part of their system. They imagined that the season was now arrived for its accomplishment, and no means which wicked subtlety could suggest were left unemployed. Printed papers were industriously circulated amongst the privates and non-commissioned officers, urging them to insubordination and revolt, and holding out the most tempting offers of preferment to such as should desert their colours. The atrocious crimes to which they were incited will best
appear

appear by reference to the proceedings of the general courts martial herunto annexed, before whom the culprits were tried, prior to the breaking out of the rebellion, and to the trial of Henry and John Sheares before a special commission lately held.

Their attempts to frustrate the administration of justice have already been mentioned. It will be proper to state some farther particulars. From several authentic reports of their own proceedings, it appears that considerable sums of money were subscribed for the purpose of defending such of their associates as should be brought to trial: that they had itinerant committees who went circuit as regularly as judges: that a bar of lawyers were retained to undertake the cause of all persons in the gross committed for state offences. Entries of money appear in their proceedings as paid to procure, as well as to buy off witnesses: in many cases to gaolers for being guilty of breaches of trust, and even to under-sheriffs for returning partial pannels: hand-bills to intimidate jurors were circulated, and every species of indecent management practised in the courts, to exclude from the jury-box persons unconnected with their party.

In the hope of diminishing the resources of the state, instructions were given to the people to abstain from the consumption of exciseable articles, which are productive to the revenue, and every endeavour made to depreciate the value of Government securities in the estimation of the public, to stop the raising of the supplies of the year by the sale of the quit-rents, and to prevent the circulation of the bank paper.

Before your Committee proceed to state the traitorous correspondence carried on by the leading members of the conspiracy with the enemy, they think it necessary to advert to a new organization of the society which took place in August 1797, the reasons for which change will best appear by an inspection of the printed paper at that time circulated as an instruction to the body; and your Committee beg leave to refer to the examination upon oath before the Secret Committee of the House of Lords of Doctor M^cNevin, who states himself to have been a member of their Executive Directory for the detailed application of this new system for military purposes.

The evidence of the same person, together with that of two other members of the Executive, namely, Mr. Emmet and Mr. Arthur O'Connor, delivered upon oath before the said Secret Committee of the Lords, and who as well as the said Dr. M^cNevin have been examined since before your Committee, has completely developed the connexion of the party with the French Directory. From their testimony it appears that so early as the year 1796, the party despairing of carrying their plans into execution through the medium of a democratic reform, avowedly directed their efforts to revolution, and having received an inti-

mation from one of their society, and whom your Committee have very good reason to know to be Mr. Theobald Wolfe Tone already mentioned (a fugitive from this country on account of his treasonable conduct), then at Paris, that the state of the country had been represented to the government of France in such a light as to induce them to resolve on sending a force to Ireland for the purpose of enabling it to separate itself from Great Britain, an extraordinary meeting of the Executive of the Union was convened to take the proposal into consideration.

This meeting was held in the summer of 1796, and the result of their deliberations was, to accept of the assistance thus held out to them by the French Directory.

In consequence of this determination an agent was dispatched to the Directory to acquaint them with it. He was instructed to state the dispositions of the people, and the arrangements of the Union for their reception, and received fresh assurances from the French government that the armament should be sent as speedily as it could be prepared. The agent above alluded to appears to your Committee from various channels of information to have been the late Lord Edward Fitzgerald, who, accompanied by the said Mr. A. O'Connor, proceeded by Hamburg to Switzerland, and had an interview near the French frontiers with General Hoche, who afterwards had the command of the expedition against Ireland, on which occasion every thing was settled between the parties with a view to the descent. The reason the persons employed on this mission did not pass into France was, lest the Irish government should gain intelligence of the fact, and cause them to be apprehended on their return.

About October 1796, an accredited messenger from the French republic arrived, who said he came to be informed of the state of the country, and to communicate to the leaders of the United Irishmen the intention of the French to invade Ireland speedily with fifteen thousand men, and a great quantity of arms and ammunition; which attempt so announced was accordingly made in the month of December following, when the French fleet with a large body of troops on board arrived in Bantry Bay.

Your Committee do not think it necessary to advert to the early and frequent communications of a treasonable nature that took place between the disaffected who had fled from this country to France, and the leaders of the party here: it is sufficient to set forth the leading attempts of the Union to prevail on the French Directory to send a force to their assistance. It is necessary however to observe, that although, previous to the summer of 1796, no formal and authorized communication appears to have taken place between the Irish Executive and the French government, yet the trial of Dr. Jackson convicted of high treason in the year 1795, proves that even then the enemy had agents in this kingdom.

om, who were addressed to the most active members of the Irish Union for information and assistance; and the treasonable statement respecting the interior situation of Ireland then drawn up to be transmitted to France, appeared on the trial to have been the joint production of Theobald Wolfe Tone, heretofore mentioned as the framer of the original constitution of United Irishmen, assisted by A. Hamilton Rowan, Esq. who frequently appeared in their publications as the chairman of the society; to which reason, Lewins, whom your Committee from various channels of information are enabled to state to be now their resident agent at Paris, appears to have been privy.

From the period of the failure of this expedition, the disaffected either actually did expect, or, with a view of keeping up the spirits of their party, pretended to expect, the immediate return of the enemy; and assurances to this effect were industriously circulated in all their societies. However, in the spring of 1797, the Executive of the Union thinking the French Directory in their preparations, did then dispatch Mr. Lewins above mentioned as a confidential person to press for assistance. This agent left London in March, and proceeded to Hamburgh, but did not reach Paris until the end of May, or beginning of June, from which time he has continued to be the accredited minister from the Irish Union to the French Directory.

It appears to your Committee that in the summer of 1797, the Executive of the Union, apprehensive lest a premature insurrection of the north before the promised succours from France could arrive, might disappoint their prospects, thought it necessary to send a second agent to Paris, to urge with increased earnestness that the promised assistance should be immediately sent: accordingly a most confidential member of their body, whom your Committee have grounds to state to have been Doctor M'Nevin, who had hitherto acted as secretary to the Executive, was dispatched on this mission; he left Dublin in the end of June, and presented himself with the necessary letters of credence to the French minister at Hamburgh.—Meeting with some difficulty in obtaining a passport to proceed to Paris, he delivered to the minister of the republic a memoir to be forwarded to the Directory, the substance of which appears in Doctor M'Nevin's examination, as taken on oath before the Secret Committee of the Lords. It is unnecessary to make any observation upon this most curious statement—it is in itself a complete picture of the desperate purposes of the party; and the House will observe that the statement of their own resources is studiously exaggerated in proportion to the anxiety felt by them, that the succours might be sent before the vigorous measures adopted by Government in the north should disconcert their projects.

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This agent was authorized to give France assurances of being repaid the full expenses of any future armament she might send to Ireland, as well as of the last which had miscarried, the same to be raised by the confiscation of the lands of the church, of the property of all those who should oppose the measures of the party. He was also particularly charged to negotiate, if possible, a loan on the above security, to the amount of half a million, or at least three hundred thousand pounds, for the immediate purposes of the Union; and directions were given, that in case France could not be prevailed on to advance so large a sum, he should address himself to the court of Spain for that purpose.

It appears to your Committee, that the Executive Union, though desirous of obtaining assistance in men, arms, and money, yet were averse to a greater force being sent than might enable them to subvert the government, and retain the power of the country in their own hands; but that the French showed a decided disinclination at all times to send any force to Ireland, except such as from its magnitude might not only give them the hopes of conquering the kingdom, but of retaining it afterwards as a French conquest, and of subjecting it to all the plunder and oppressions which other countries, subdued or deceived by that nation, have experienced. A remarkable illustration of which sentiment in the Directory of France occurs, in the substance of a letter said to be received from Lewins, the Irish agent at Paris, and shown by Lord Edward Fitzgerald to John Cormick, a colonel in the rebel army, who fled from justice on the breaking out of the rebellion, and whose voluntary confession, upon his apprehension in Guernsey, before Sir Hugh Dalrymple, is given in the Appendix. This letter, although written apparently on money business, which is the cloak generally made use of by the party to hide their real views, is perfectly intelligible, when connected with, and explained by the memoir presented by Dr. M'Nevin, the Irish agent to the French Directory. The letter states, that the trustees (that is, the Directory) would not advance the five thousand pounds (that is, the smaller number of troops asked for in M'Nevin's memoir); saying, they would make no payment short of the entire sum (that is, the large force), which they always declared their intention of sending and that this payment could not be made in less than four months from that time.

The demands of the party by their first agent went to a force not exceeding ten thousand men, with forty thousand stand of arms, and a proportionate supply of artillery, ammunition, engineers, experienced officers, &c.

A still larger supply of arms was solicited by the second-messenger, on account, as he stated it, of the growing number of their

their adherents, and of the disarming of the north, in which province above ten thousand stand of arms, and as many pikes, had been surrendered to the King's troops.

It appears that an attempt was made, about the same time, to procure the assistance of such Irish officers, then in foreign service, as might be prevailed upon, by receiving high rank, to engage in the service of the Union, and that a negotiation was actually set on foot for this purpose; but it has been stated, that, from the over-caution of the agent who was employed in conducting this transaction, nothing in consequence of it was effected.

A second memoir was presented by this confidential agent, upon his arrival at Paris, in which he urged such arguments as he conceived most likely to induce the Directory not to postpone the invasion. He endeavoured to demonstrate, that so favourable a disposition as then existed in the Irish mind was in no future contingency to be expected; and he artfully represented, that the delusions held out by reform might cease from delay, and thus render more difficult to France and the true republicans of this country, their endeavours to separate the two kingdoms, and to establish a republic in Ireland.

Previous to this mission from Ireland, a confidential person was sent over by the French Directory, to collect information respecting the state of Ireland. Failing to obtain the necessary passports in London to pass into Ireland, he wrote over to request that one of the party might meet him in London. A person was accordingly sent over, whom your Committee know, from various channels of information, to have been the late Lord Edward Fitzgerald, and who, it is to be presumed, did not fail to furnish the French agent with every necessary intelligence.

The Directory gave the Irish agents sent to Paris the strongest assurances of support, and did accordingly, during the summer, make preparations of a very extensive nature, both at the Texel and at Brett, for the invasion of Ireland; and in the autumn intelligence was received by the Executive of the Union, that the troops were actually embarked in the Texel, and only waited for wind.

In consequence of this communication, great exertions were made by the party, and in the beginning of October, when the Dutch fleet was upon the point of sailing, the approach of the enemy (as will appear by reference to the provincial reports from Ulster of that date) was announced to the societies as at hand.

The troops had been actually on board, commanded by General Daendels, but were suddenly disembarked. The Dutch fleet, contrary to the opinion of their own admiral, as is generally believed, was, at the instance of the French government, obliged to put to sea, which led to the ever-memorable victory of the 11th of October 1797.

It appears to your Committee, that early in the present year other advices were received by the Irish Executive from France stating, that succours might be expected to be sent to Ireland in April; but notwithstanding the temptation held out by the rebellion, which commenced on the 23d of May following, the French government have not yet thought it prudent to fulfil the promise.

The Committee trust they have laid sufficient grounds before the House to satisfy them of the long-entertained and fixed purpose of the United Irishmen to introduce the enemy into the kingdom, and through their assistance to seize upon the government and property of the country; and that in their negotiations with the French Directory they have had no other reserve but what their own treasonable ambition pointed out. The particulars of the statement resting for the most part upon the admission of the parties themselves, there can be no possible room to doubt the truth of what has been submitted.

Your Committee think it material to observe, that, notwithstanding the wildness of the hope that they could ever succeed in overturning the government without powerful aid from abroad, yet, on more than one occasion, the eagerness of the more violent partisans so far prevailed over their reason, as to induce them to meditate an insurrection. To this they were excited by the apprehension that the zeal of their followers would subside if they were not called into action, as well as by a dread that a resort to stronger measures on the part of Government might at length deprive them of the means of exertion. It had been their invariable policy to announce an effort as at hand, merely to keep up the spirits of the people, when no attempt of the kind was really in contemplation; however, in the spring of 1797, a plan was seriously discussed among the leaders then assembled in Dublin, of commencing a general rising without waiting for foreign assistance; but as this scheme did not meet with the approbation of the Dublin part of the committee, it was laid aside; and it appears that at this period a coolness took place between the Ulster and Leinster delegates, in consequence of which the progress of the conspiracy seems to have been for a time much impeded.

The northerners then in Dublin, disgusted with the cowardice (as they termed it) of the Leinster delegates, proceeded to, without their approbation, to seize upon the Castle, ordnance stores, magazine, &c. and to trust to the mob of Dublin for assistance; but from some additional military precautions at the time adopted by the garrison, this plan was abandoned.

Shortly after the proclamation of the 17th of May 1797 above stated, notwithstanding the strong opinion entertained by the Leinster Executive, of the impolicy of such an attempt, the more so, as assurances had been recently received of the assistance of the French Republic.

parations going forward both at Brest and in the Texel, for the invasion of Ireland; yet an active effort was made to produce a general insurrection throughout Ulster, the orders for which were given out the latter end of May, in conformity to a plan previously prepared. A slight movement did take place, as before stated; however, the main design of the party was frustrated by the active military measures then taken by Lieutenant-general Lake, and many of their principal leaders were obliged to fly, several of whom passed into France, having received letters to Remhart, French minister at Hamburg, from persons then resident in this country, in consequence of which introduction, the necessary passports were granted, to enable them to proceed to Paris, where they arrived early in August, and had frequent communications with the French Directory on Irish affairs.

Your Committee do not find that the disaffected entertained at any other periods than those alluded to, until the middle of March 1798, any serious intention of hazarding an effort independent of foreign assistance. Indeed the opinion of the most cautious of their body was always adverse to a premature exertion. Their policy was to risk nothing so long as the party was gaining strength. Their principle was to extend their organization, to add to their stock of arms, and to wait for events: and it appears, from a variety of evidence laid before your Committee, that the rebellion would not have broken out so soon as it did, had it not been for the well-timed measures adopted by Government, subsequent to the proclamation of the Lord Lieutenant and Council, bearing date the 30th of March 1798, as it is notorious that in many counties the effect of those measures was such in dissolving the Union, and in obliging the people to surrender their arms, that it became evident to the generality of their leaders they had no other alternative but to rise at once, or to abandon their purpose.

It appears to your Committee, that, with the double view of being prepared either to co-operate with the enemy in case of a descent, or of directing an insurrection upon system, should they find it necessary to have recourse to such a measure before assistance might arrive from France, a military committee was appointed by the Executive in the month of February last. About this time detailed military instructions were issued to the adjutant-generals of the Union, by which they were required to inform themselves, and report on the state of the rebel regiments within their districts, of the number of mills, the roads, rivers, bridges, and fords, the military positions, the capacity of the towns and villages to receive troops, to communicate to the Executive every movement of the enemy (meaning the King's troops), to announce the first appearance of their allies (meaning the French),

and immediately to collect their force, with several other military regulations.

Instructions were also given to the several rebel regiments, as to the arms and appointments with which they were to be furnished, so as to be ready to take the field on the shortest notice.

At a meeting held on the 26th of February, thanks are voted to the several colonels for their effectual exertions in embodying and arming their respective regiments—the people are requested to bear the shackles of tyranny a little longer, till the whole kingdom shall be in such a state of organization as will, by their joint co-operation, effect, without loss, that desirable object which they stated as hourly drawing to a crisis.

Whilst these extensive military arrangements were making by the Executive, to act against the state as soon as a favourable opportunity should present itself, the same system of outrage which had been so successfully made use of by the party the year before in Ulster, to establish their own authority in opposition to that of the laws, and to compel the people to look to the Union for protection rather than to the State, was very generally prevalent throughout the southern and midland counties. The enormities committed on the well-affected were marked with the most disgusting cruelty.

It is unnecessary for your Committee to detail individual instances of outrage, which are fresh in the recollection of the House: it will be sufficient to state, that in the months of February and March many parts of the provinces of Leinster and Munster were actually in the possession of a murderous banditti. If they did not appear in arms by day, it only rendered their rebellion more difficult to be met and crushed by the King's troops and yeomanry; not a night passed without numerous murders; several districts in the provinces of Leinster and Munster had been proclaimed under the powers given to the Lord Lieutenant and Council by the act for preventing insurrections: but these measures proved ineffectual; very many of the loyal inhabitants of the counties of Cork, Limerick, Tipperary, Kilkenny, Carlow, King's county, Queen's county, Kildare, and Wicklow, were, in the course of one month, stripped of their arms, and, in many places, obliged to fly for shelter into the garrison towns; and, as one instance among many, of the daring lengths to which the conspirators at this time had proceeded, your Committee think it necessary to state, that, in open day, 800 insurgents, principally mounted, invested the town of Cahir, in the county of Tipperary; held possession of it until they had made a regular search through every house, and carried off in triumph all the arms and ammunition they could find.

Under these circumstances, the Lord Lieutenant and Council
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issued the proclamation before spoken of, bearing date the 30th of March, stating, that the traitorous conspiracy long existing within this kingdom had broken out into acts of open rebellion; and giving notice, that the most direct and positive orders were issued to the officers commanding his Majesty's forces, to employ them with the utmost vigour and decision for the immediate suppression thereof; and also for the recovery of such arms as had been traitorously taken from the King's peaceable and loyal subjects. It was also enjoined, that they should disarm the rebels, and all persons disaffected to his Majesty's government, by the most summary and effectual measures.

This proclamation was transmitted by his Excellency's commands, to Sir Ralph Abercrombie, then commander in chief, who was directed to proceed into the disturbed counties, being invested by the Lord Lieutenant with full powers.

Your Committee annex to this Report a notice to the inhabitants of the disturbed counties, as issued by the said commander in chief; and think it incumbent on them to observe, that on this, and, indeed, on every occasion in which the Government, or the officers acting under its orders, have been driven to the necessity of adopting extraordinary measures for the safety of the state, full notice and time have uniformly been given before they were acted upon, and the people have been exhorted to prevent the necessity of rigorous measures, by a cessation from outrage and a surrender of their arms.

It appears to your Committee, that the steps then taken, as mentioned in the proclamation, had an almost immediate effect in repressing the audacity of the rebels, and in restoring tranquillity; the loyal inhabitants were enabled in many places to return in safety to their houses; murders became less frequent; in many counties, particularly in Kildare and Tipperary, the people, sensible of the madness and wickedness of their conduct, began openly to acknowledge their crimes, surrender their arms, and point out their leaders and seducers; a submission which invariably obtained for them pardon and protection.

In April and the beginning of May, the delusion of the people was so fast and so widely yielding to the measures of Government, which, while they treated with severity the obstinately guilty, in all cases held forth mercy to the repentant, that the leaders of the treason both in Dublin and in the provinces began to perceive that their cause was losing ground, and that they had no alternative left but to hazard an insurrection or to relinquish their hopes. The arrest of the Leinster provincial committee on the 12th of March, and of several other leading persons, the Union on the same day, tended so much to disorganize the party and to weaken their organization, that they felt themselves still more compelled to a

was accordingly digested by the military committee for a general rising, the outline of which was to surprise Dublin, the camp at Loughlinstown, and the artillery station at Chapelizod on the same night, in which attack the counties of Dublin, Wicklow, and Kildare, were to co-operate: the insurrection being commenced in the neighbourhood of the metropolis (the signal for announcing which was to be the detention of the mail-coaches), it was expected that the north and south would also rise.

The House will find the plan of insurrection detailed and fully proved in the evidence adduced on the trial of Henry and John Sheares, lately convicted of high treason; the bloody intentions of the party may best be collected from a manifesto in the handwriting of the said John Sheares (one of the new Executive, elected after the arrests made on the 12th of March last, as your Committee have reason to believe), which was to have been issued in the event of success. Were any additional proofs necessary to establish the authenticity of the plan as above stated, it may be found in the proceedings of the provincial committee of Ulster, which met at Armagh on the 12th of May, where the same plan was announced as decided on, and the necessary orders given for securing, as far as possible, the co-operation of the north.

The government, perfectly informed of the intentions of the conspirators, caused several of the leaders to be apprehended on the 19th and 21st of May, and the approaching insurrection was announced to the Lord Mayor, late in the evening of the 21st, in a letter from the Lord Lieutenant's secretary; and on the following day a message, to the same effect, was sent by his Excellency to both Houses of Parliament. Notwithstanding the military precautions adopted to counteract the intended rising, it took place in the neighbourhood of Dublin on the night appointed, namely, the 23d of May; and every possible effort was made by the disaffected within the town, to co-operate with those without. In conformity to the plan laid down, the mail-coaches were destroyed on the northern and southern roads, and every exertion made by the party in the provinces to bring the people into an action.

Your Committee do not think it necessary to record the events of the bloody and destructive rebellion that ensued, which are still but too fresh in the memory of the House; they need only state, that as soon as the rebels had actually taken the field in force, and commenced their operations, by several daring attacks upon the towns garrisoned by the King's troops; the Lord Lieutenant and Council published a proclamation, bearing date the 24th of May, announcing, that he had authorized the summary punishment by martial law of all rebels found in arms, or of persons in any wise aiding or assisting in the rebellion; to which seasonable interposition of the powers of the state, the preservation of the
constitution

constitution against this daring attempt to subvert it is not less to be attributed, than to the distinguished fidelity and bravery of the King's troops, both regulars, militia, and yeomanry.

On consideration of the whole of the evidence, your Committee are of opinion,

That the rebellion originated in a system, framed not with a view of obtaining either Catholic emancipation or any reform compatible with the existence of the constitution, but for the purpose of subverting the government, separating Ireland from Great Britain, and forming a democratic republic, founded on the destruction of all church establishment, the abolition of ranks, and the confiscation of property.

That the means resorted to for the attainment of these designs was a secret systematized combination, fitted to attract the multitude, by being adapted to vulgar prejudices and vicious passions, and artfully linked and connected together with a view of forming the mass of the lower ranks into a revolutionary force, acting in concert, and moving as one body, at the impulse and under the direction of their leaders.

That for the farther accomplishment of their object, the leaders of the conspiracy entered into a negotiation, and finally concluded an alliance with the French Directory, by which it was stipulated, that an adequate force should be sent for the invasion of this country, as subsidiary to the preparations that were making for a general insurrection.

That, in pursuance of this design, measures were adopted by the chiefs of the conspiracy, for giving to their societies a military form; and that, for arming their adherents, they had recourse partly to the fabrication of pikes, and partly to the plundering of the loyal inhabitants of their arms.

That, from the vigorous and summary expedients resorted to by Government, and the consequent exertions of the military, the leaders found themselves reduced to the alternative of immediate insurrection, or of being deprived of the means on which they relied for effecting their purpose; and that to this cause is exclusively to be attributed that premature and desperate effort, the rashness of which has so evidently facilitated its suppression.

That the vigilance of the executive government, in detecting and arresting many of the principal conspirators in the very act of concerting their plans of insurrection, the convictions which have ensued, and the still more complete developement of the treason by the confession of some of its most active and efficient conductors, have not only essentially contributed to the defeat of the rebellion, but, by enabling the Committee to disclose the views and machinations of the conspirators, may suggest means for securing the future tranquillity of the country.

Your

Your Committee cannot conclude without observing, that, on a review of the treason which has employed their attention, they trace a perfect coincidence, in its commencement and in its progress, its means and its objects, with that by which the government, the religion, and the happiness of France have been destroyed; which has extended its desolating influence over some of the most prosperous and flourishing countries of Europe, and has shaken to its foundation the fabric of regular society throughout the civilized world. That the leaders of the system, in order to adapt the minds of the multitude to the purposes of their treason, have, after the example of their Jacobin allies in France, left no means unemployed which the most malignant subtlety could suggest, for eradicating from amongst the working classes, every sentiment both of private and public duty: all quiet and peaceable habits, all social as well as moral obligations it has been their object to destroy; and the more sacred the tie, the more industriously have they laboured to dissolve it: they have incited the soldier to betray his King; they have armed the tenant against the landlord; and they have taught the servant to conspire with the assassin of his master; blasting the repose and confidence of private life even in its sanctuary, and effacing every law of truth, of justice, of gratitude, and of religion, except where it has been possible to make even religion itself the perverted instrument of their execrable views. Such have been the leading principles and the long-laboured preparatives for that rebellion from which your Committee trust this country has been happily rescued; and they indulge a sanguine hope, that their present statement, authenticated as it is by such a mass of evidence, will contribute still farther to the complete re-establishment of tranquillity, by throwing the fullest light on the dangers to which the community has been exposed, and against which it is still necessary to guard*.

Report from the Committee of Secrecy of the House of Lords in Ireland.

Die Jovis, 30^o Augusti, 1798.

THE Lord Chancellor, from the Lords Committees appointed to examine the matters of the sealed-up papers received from the Commons on the 23d of July last, whose Lordships had power to send for persons, papers, and records, and to examine

* We have thought it unnecessary to lay before our readers the Appendix to the Report, which contains only details of the principal facts stated in the body of the Report.

all such persons as they might summon before them in the most solemn manner, and to communicate from time to time with the Committee of Secrecy appointed by the House of Commons, made the following Report :

My Lords,

THE Lords' Committees appointed to examine the matters of the sealed-up papers received from the Commons on the 23d of July last, and to report the same as they shall appear to them to this House, have met and examined into the matters to them referred, and directed me to report to your Lordships as follows :

Your Committee beg leave first to recall your Lordships' attention to a report made to this House on the 7th of March 1793, by the Lords' Committees, who had been appointed to inquire into the causes of the disorders and disturbances which prevailed in this kingdom in the years 1792 and 1793, by which it appears, " That considerable bodies of insurgents, then distinguished by the name of Defenders, infested the counties of Meath, Louth, Cavan, Monaghan, and other adjacent districts, during that period, and that the measures which were then pursued by them appeared to be concerted with a degree of system and regularity which proved distinctly that they were directed by men of superior rank, who stimulated the lower orders of the people to tumult and outrage, as leading to the abolition of tithes, hearth and county taxes, and to the reduction of rents. That, during that period, very considerable sums of money were levied upon the Roman Catholics of this kingdom, under the authority of a committee of persons of that persuasion, who then assumed, and seemed, in a great degree, to succeed in the government and direction of the whole body of Irish Catholics; and that, out of the general fund thus created, protection was extended to persons who were criminally prosecuted for the most daring and flagrant crimes. That, during the same period, an unusual ferment disturbed several parts of the northern province, particularly the town of Belfast and the county of Antrim, kept up and encouraged by every artifice which turbulence and disaffection could suggest, and more particularly by the most licentious abuse of the press. That the conduct of France was openly held up as an example for imitation; that hopes and expectations were given of French assistance, by a descent upon this kingdom, and that prayers had been publicly offered up at Belfast, from the pulpit, for the success of the French armies, in the presence of military bodies, which had been newly levied and arrayed in that town, without any legal authority. That several other military associations had, in like manner, been entered into, in different parts of the province of Ulster, composed of persons of a very

inferior description, armed without authority, and disciplined by officers of their own election. That these armed bodies were daily increasing in numbers and force, and had exerted their best endeavours to procure military men of experience to command them; some of them having expressly stated, that there were men enough to be had, but that officers were what they wanted. That arms and gunpowder, to a very large amount, much above the common consumption, had been recently sent to Belfast and Newry, and that orders had been given for a much greater quantity, which could be wanted only for military operations. That at Belfast large bodies of men in arms assembled nightly, by candle-light, to be drilled and exercised, and that repeated attempts were made to seduce the soldiery, which, much to the honour of the King's forces, had proved ineffectual. That at the same period a body of men had been arrayed at Dublin, under the title of first battalion of national guards—their uniform copied from that of the French national guards, and marked with emblems of disaffection. That the declared object of these military preparations was to procure a reform of Parliament; but that the plain and palpable intention was to overawe the Parliament and executive government, and to dictate to both."

Your Committee next beg leave to recall your Lordships' attention to a report made to the House on the 12th of May 1797, by the Lords' Committees, appointed to examine the matters of the sealed-up papers received from the Commons on the 4th of the same month, by which it appears, "That the system of treason which had been established in the year 1792 was then much matured and extended under the influence and direction of numerous affiliated societies, calling themselves United Irishmen, in conjunction with the associated body of Defenders. That a traitorous correspondence and communication between the leaders and directors of the societies of United Irishmen and the Executive Directory of the French republic had been carried on between the month of June 1795 and the month of January 1796, and that the means by which it had been carried on were distinctly proved."

Your Committee are now enabled more fully and accurately to state to your Lordships the nature and extent of the treason which so justly alarmed your Lordships in 1793, and which has recently broken forth in open rebellion, having examined four persons who were members of the Executive Directory of the Irish revolutionary Union, namely, Arthur O'Connor, Esq. who was lately tried at Maidstone for high treason, William James McNevin, doctor of physic, Thomas Addis Emmett, barrister at law, and Oliver Bond, late convicted of treason, all of whom have acknowledged themselves to have been confidential leaders
and

and directors of the Irish Union, and that their object was, to effect a revolution in this kingdom, by seducing his Majesty's subjects from their allegiance, under a variety of specious pretences, and, by introducing a French army into their country, to assist them in this most foul and unnatural project.

The original constitution of the traitorous societies of United Irishmen, their gradual progress to open rebellion, and the means by which they hoped to succeed in subverting the existing establishments in church and state, have been so fully detailed in former reports upon the subject appearing on the Journals, and by the report recently made by the Secret Committee of the House of Commons, which has been communicated to your Lordships, that your Committee have forbore now to enter so minutely into this disgusting subject, as they might otherwise have considered a duty incumbent on them; they have therefore taken up the detail of it from that period when the conspiracy was so matured as to have for its avowed object the array and levy of a regular military force, in every part of the kingdom, for the purpose of assisting the French, if they should be enabled to make a descent upon this country; or, if foreign assistance could not be procured, of making a general insurrection, in the hope of subverting the monarchy and ecclesiastical establishment, of seizing the persons, and confiscating the property of his Majesty's loyal subjects, and of establishing a republican government, guaranteed by the power of France. It appears to your Committee, that the organization, as it is called, by which the Directory of the Irish Union was enabled to levy a revolutionary army, was completed in the province of Ulster on the 10th of May 1795. That the scheme of extending it to the other provinces was adopted at an early period by the Irish Directory; but it does not appear to your Committee that it made any considerable progress beyond the northern province, before the autumn of 1796, when emissaries were sent into the province of Leinster to propagate the system. It appeared distinctly to your Committee, that the stale pretences of parliamentary reform and Catholic emancipation were found ineffectual for the seduction of the people of that province, and therefore the emissaries of treason, who had undertaken it, in order to prevail with them to adopt the system of organization, first represented, that it was necessary in their own defence, as their Protestant fellow-subjects had entered into a solemn league and covenant to destroy them, having sworn to wade up to their knees in Popish blood.

The people were next taught to believe that their organization would lead to the abolition of tithes, and to a distribution of property, inasmuch as they would become members of a democracy which would govern the country; and under the influence of these false, wicked, and artful suggestions, the system of organization

ganization, appears to have been gradually extended by the emissaries of the Irish Directory into the provinces of Leinster, Munster, and Connaught. The better to impose on the people, the system was first represented to be purely for civil or political purposes. The inferior societies, at their original institution, consisted each of thirty-six members; they were, however, afterwards reduced to twelve: these twelve chose a secretary and treasurer, and the secretaries of five of these societies formed what was called a lower baronial committee, which had the immediate direction and superintendence of the five societies who thus contributed to its institution. From each lower baronial committee thus constituted, one member was delegated to an upper baronial committee, which in like manner assumed and exercised the superintendence and direction of all the lower baronial committees in the several counties. The next superior committees were, in populous towns, distinguished by the name of district committees, and in counties by the name of county committees, and were composed of members delegated by the upper baronials. Each upper baronial committee delegated one of its members to the district or county committee, and these district or county committees had the superintendence and direction of all the upper baronials, who contributed to their institution. Having thus organized the several counties and populous towns, a subordinate directory was erected in each of the four provinces, composed of two members, or three, according to the extent and population of the districts which they represented, who were delegated to a provincial committee, which had the immediate direction and superintendence of the several county and district committees in each of the four provinces; and a general executive directory, composed of five persons, was elected by the provincial directories, but the election was so managed that none but the secretaries of the provincials knew on whom the election fell. It was made by ballot, but not reported to the electors; the appointment was notified only to those on whom the election devolved: and the Executive Directory thus composed, assumed and exercised the supreme and uncontrolled command of the whole body of the Union.

The manner of communicating the orders issued by the Executive Directory was peculiarly calculated to baffle detection. One member of the Executive alone communicated with one member of each provincial committee or directory. The order was transmitted by him to the secretary of each county or district committee in his province. The secretaries of the county and district committees communicated with the secretaries of the upper baronials in each county; they communicated with the secretaries of the lower baronial committees, who gave the order to the secretaries of each subordinate committee, by whom it was given

given to the several inferior members of the Union. It appears to your Committee, that the leaders and directors of this conspiracy having completed this their revolutionary system in the province of Ulster, so early as the 10th of May 1795; and having made considerable progress in establishing it in the autumn and winter of 1796, in the province of Leinster, proceeded at that period to convert it into a *military* shape and form, for the undisguised project of rebellion; and this project has been distinctly and unequivocally acknowledged by the aforesaid Arthur O'Connor, William James M'Nevin, Thomas Addis Emmett, and Oliver Bond, who have confessed themselves to have been leading and active members of this conspiracy, as will appear more distinctly to your Lordships from the confessions which they have made before your Committee, annexed by way of appendix to this Report.

From the confessions of these persons it appears to your Committee, that the *military* organization, as they termed it, was grafted on the civil. That the secretary of each subordinate society, composed of twelve, was appointed their petty or non-commissioned officer; that the delegate of five societies to a lower baronial committee was commonly appointed captain of a company, composed of the five societies who had so delegated him, and who made up the number of sixty privates; and that the delegate of ten lower baronials to the upper or district committee was commonly appointed colonel of a battalion, which was thus composed of six hundred men: that the colonels of battalions in each county sent in the names of three persons to the Executive Directory of the Union, one of whom was appointed by them adjutant-general of the county, whose duty it was to receive and communicate military orders from the Executive to the colonels of battalions, and in general to act as officers of the revolutionary staff. In addition to this establishment, it appears that a military committee was appointed by the Executive Directory to prepare a regular plan for assisting a French army, if any such should make a landing in this kingdom, by directing the national military force, as it was called, to co-operate with them; or to form a regular plan of insurrection in case it should be ordered, without waiting for French assistance; and it appears to your Committee, that a regular and digested plan of insurrection was actually formed and reduced to writing, in April 1797, which was given up for that time only, from the representations of the Executive Directory of the Union, that speedy and effectual assistance was promised from France. For the purpose of arming this body, orders were given by the Irish Directory, that every member of the Union who had the means should provide himself with fire-arms and ammunition; and that such persons, whose means would not afford any other weapons,

pons, should provide themselves with pikes—which order appeared to your Committee to have been executed in a very great extent throughout the provinces of Ulster, Leinster, and Munster:—in the province of Connaught the emissaries of the Union seem not to have been enabled to proceed farther in their system of treason than by administering oaths to the people; their further progress seems to have been obstructed by the vigorous exertions of the executive government, when rebellion broke forth in acts of open hostility. It appears to your Committee, that the Directory of the Union having thus established a revolutionary government in themselves over a great body of the people, issued an order forbidding the use of any article of consumption liable to the excise duties, which order was stated to your Committee by the aforesaid persons, who had been members of the republican Directory, to have been generally and implicitly obeyed.—And it further appeared to your Committee, from the testimony of the same persons, or some of them, that an order had been also issued by the same Directory to stop the currency of bank notes, and to forbid the purchase of quit-rents payable to the Crown, which, by an act of this session, have been vested in the Lords Commissioners of the Treasury, to be sold for the service of the current year, with a threat on the part of the Directory, that such a sale would be disallowed at the approaching revolution, as an anticipation of its resources.

Your Committee having thus detailed the system of treason and rebellion established within this kingdom, which has been so acknowledged by some of the most active and confidential members of the Irish revolutionary Directory, will now proceed to open to your Lordships their dark and desperate designs, which have been confessed by them, of betraying their country to a rapacious and merciless foreign enemy.

It appears to your Committee, that early in the year 1796 a proposition was made from the Executive Directory of the French republic, by Theobald Wolfe Tone, late a barrister of this country, who absconded shortly after the conviction of a man of the name of Jackson, for treason, in the year 1794, to the Executive Directory of the Irish Union, that a French army should be sent to Ireland to assist the republicans of this country in subverting the monarchy, and separating Ireland from the British Crown. The aforesaid Messrs. Arthur O'Connor, Thomas Addis Emmett, William McNevin, and Oliver Bond, all of whom have been members of the Irish republican Directory, have deposed to your Committee, that this was the first communication within their knowledge which took place between the Irish and the French Directories, and that the proposition originally moved from France; your Committee, however, are of opinion, that the communication thus made to the Irish Directory through Mr.

Tone must have taken place in consequence of an application originating with some members of the Irish Union, inasmuch as it appears by the Report of the Secret Committee of this House, made in the last session of Parliament, that a messenger had been dispatched by the society of United Irishmen to the Executive Directory of the French republic, upon a treasonable mission, between the month of June 1795 and the month of January 1796, at which time the messenger so sent had returned to Ireland; and your Committee have strong reason to believe that Edward John Lewins, who now is and has been for a considerable time the accredited resident ambassador of the Irish rebellious Union to the French republic, was the person thus dispatched in the summer of 1795. It appears to your Committee, that the proposition so made by the French Directory, of assistance to the rebels of this kingdom, was taken into consideration by the Executive Directory of the Irish Union immediately after it was communicated to them; that they did agree to accept the proffered assistance, and that their determination was made known to the Directory of the French republic by a special messenger; and your Committee have strong reason to believe, that the invasion of this kingdom, which was afterwards attempted, was fully arranged at an interview which took place in Switzerland in the summer of 1796, near the French frontier, between Lord Edward Fitzgerald, the aforesaid Mr. Arthur O'Connor, and General Hoche. It appears to your Committee, that in the month of October or November 1796, the hostile armament which soon after appeared in Bantry Bay, was announced to the Irish Directory by a special messenger dispatched from France, who was also instructed to inquire into the state of preparation in which this country stood, which army was then stated to the Irish Directory to consist of fifteen thousand troops, together with a considerable quantity of arms and ammunition intended for the use of the Irish republican Union: in a few days after the departure of the messenger who had been thus sent to announce the speedy arrival of this armament on the coasts of this kingdom, it appears to your Committee, that a letter from France was received by the Irish Directory, which was considered by them as authentic, stating, that the projected descent was postponed for some months; and to this circumstance it has been fairly acknowledged to your Committee, by one of the Irish Directory, that this country was indebted for the good conduct of the people in the province of Munster, when the enemy appeared in Bantry Bay. He has confessed that these contradictory communications threw the Irish Directory off their guard, in consequence of which they omitted to prepare the people for the reception of the enemy. He has confessed that the people were loyal, because they were left to themselves. It appears to your Committee, that after the attempt to invade this kingdom in Dec-

ber 1796 had failed, the Irish Directory renewed their solicitations to France for assistance, and it was determined by them to establish a regular communication and correspondence with the Directory of France, by a resident accredited Irish minister at Paris;—accordingly it appears to your Committee, that in April 1797, Edward John Lewins of this city, attorney at law, was dispatched from hence, under the assumed name of Thompson, to act as the minister of the Irish republican Directory at Paris. That he went by way of Hamburg, where he obtained a letter of credence from the French minister to General Hoche, with whom he had a conference at Franckfort, from whence he proceeded to Paris, where he has continued to reside from that time, as the minister of the Executive Directory of the republic of Ireland. It appears to your Committee, that in June 1797, a second messenger, Doctor William James M'Nevin, was dispatched by the same Directory to Paris, with more precise instructions than they were enabled to give to Lewins, and that M'Nevin also took Hamburg in his way, where finding some difficulty in obtaining a passport from Rheyhart the French minister to enable him to go to Paris, he presented a memoir in writing to that minister, containing the substance of his instructions from his employers, to be transmitted to the Directory of the French republic. M'Nevin has stated to your Committee the principal points of this memoir, in which it was recommended particularly to the Directory of the French republic, on their next attack upon this kingdom, rather to make a landing at Oysterhaven than at Bantry, as the reduction of the city of Cork would be thereby considerably facilitated—and he has stated, that it also contained every species of information which occurred to the Irish Directory as useful to the enemy in their projected invasion of this kingdom, the particulars of which your Committee forbear further to detail, as they have annexed the said M'Nevin's confession made to them by way of appendix to this Report. It appears to your Committee, that the said M'Nevin having obtained a passport from the French minister at Hamburg, soon after the delivery of his memoir to him, proceeded directly to Paris, where he had several conferences with some of the ministers of the French republic, in which he pressed strongly upon them the advantages of a second armament against this kingdom, in which an additional supply of arms was represented as necessary, from the seizure which had been made, by order of Government, of arms which had been collected for rebellion in the northern province; and the expenses of this armament, as well as of that which had already failed, he undertook, for the Irish Directory, should be defrayed on the establishment of a republic in Ireland: and in these conferences it appears to your Committee, that it was strongly impressed upon the French
 Direc-

Directory to make the separation of Ireland from the kingdom of Great Britain an indispensable condition of any treaty of peace which might be concluded in consequence of the negotiation which then depended at Lisle. The better to impress his arguments, a second written memoir was presented by the said M^cNevin, enforcing as strongly as he could every thing which he had theretofore urged to encourage the invasion of this kingdom by a French force, and to induce the Directory of the French republic to continue the war with Great Britain, until Ireland should be separated from the British Crown: and it appears to your Committee, that M^cNevin was further instructed to negotiate a loan of half a million in France or Spain for the Irish Directory, on the security of the revolution which they meditated, but that in this object of his mission he failed altogether. It appears to your Committee that immediately after the negotiation at Lisle was broken off, information of it was sent from France to the Irish Directory, with assurances that the French government would never abandon the cause of the Irish Union, nor make peace with Great Britain, until the separation of Ireland from the British Crown was effected; and with fresh assurances of a speedy invasion, which have frequently been renewed since that period. It appears to your Committee that the said M^cNevin returned to this kingdom in October 1797, when he made his report to the Irish Directory of the result of his mission, and that they might rely with confidence on the promised succours from France; and it has also appeared to your Committee that in July or August 1797, the Irish Directory received a dispatch from their minister at Paris, announcing the Dutch armament in the Texel intended against this kingdom, which was baffled and discomfited by the ever memorable and persevering valour of the British fleet commanded by Lord Duncan. It appears to your Committee that three several dispatches have been received by the Irish Directory from their minister at Paris since October 1797; the two first contained a renewal generally of the former assurances of friendship and support given by the Directory of the French republic; the last announced that the projected invasion of Ireland would be made in the month of April 1798. And it appears to your Committee that a dispatch for the Directory of the French republic, earnestly pressing for the promised succours, was made up by the Irish Directory, late in December 1797, or early in January 1798, which one of them undertook to have conveyed to France; but that the attempt failed. It has been stated to your Committee by one of the rebel Directory of Ireland who was privy to this act of treason, that the dispatch was not to be sent through Great Britain; but he did not explain to your Committee any reason on which this assertion was founded, nor any other rou

by which the messenger was to make his way to France. The several persons aforesaid who have so confessed themselves to have been members of the Executive revolutionary Directory of the Irish rebels, and acknowledged their traitorous correspondence and connexion with the Directory of the French republic, have endeavoured to palliate this branch of their treason by ascribing it, first to their disapprobation of an act of Parliament passed in the year 1796 to prevent insurrection, next to their disappointment in obtaining a parliamentary reform, and lastly by representing their disinclination to negotiate with France for a greater force than might enable them to subvert the monarchy, and retain the government of this country in their own hands.

The falsehood and absurdity of these pretences are so manifest, that your Committee would have thought it unbecoming to advert to them in their Report, if these avowed traitors to their King and country had not in part learned thus to palliate their treason from persons of a very different description in Great Britain and Ireland, who, fatally for the peace of this kingdom and the security of the British empire, have during the progress of this most foul and unnatural rebellion, from utter ignorance and misinformation on the subject, as your Committee must presume, publicly and repeatedly palliated, if not justified, that system of treason which had well nigh involved this once happy and flourishing kingdom in all the miseries of the French revolution. With respect to the Insurrection Act, your Committee have only to observe, that it passed into a law on the 24th of March 1796, and was not put into execution before the 14th of November 1796, on which day the first proclamation which issued under the provisions of it bears date, and that the introduction of it into the House of Commons was long subsequent to the period when it appears that the connexion and correspondence of the Irish Union with the Directory of the French republic first commenced; and that it was enacted in consequence of a system of midnight murder, robbery, and outrage, which began in 1792, and was so matured in 1796, under the influence and direction of the Irish Union, as nearly to depopulate a very considerable district in two of the provinces, of every loyal and peaceable inhabitant of it. With respect to parliamentary reform, your Committee have to observe, that it was distinctly acknowledged by the persons, who, in their own phrase, have taken upon them to think for the people, that no reform of Parliament will satisfy them which does not necessarily involve in it the subversion of all ecclesiastical establishments Protestant and Popish, and the gradual separation of this kingdom from the British Crown; and that no plan of reform will satisfy them short of an House of Commons purely democratic. It was further alleged by the several persons who so acknow-
ledged

tedged their traitorous connexion with France, that the immediate cause of their establishing a resident agent at Paris, was the rejection of a plan of reform which was proposed in 1797 in the House of Commons, which plan they said would have satisfied the people. But the palpable falsehood of this assertion appears by the Journals of the House of Commons; for these persons have all confessed that their resident agent was dispatched by them to Paris in April 1797, with instructions to negotiate a treaty with the Directory of France; and the proposition for parliamentary reform, to the rejection of which they pretend to ascribe the mission of Lewins, was not made till the 15th of May 1797. As to Catholic emancipation (as it is called), it was admitted by them all to have been a mere pretence from the first establishment of the Irish Union, and that if they had been enabled to succeed in their plan of reform and revolution, it would have involved in it equally the destruction of the Protestant and Popish religion—the said M'Nevin having distinctly acknowledged that the intention was to abolish all church establishment, and not to have any established religion, and that, for his own part, he would as soon establish the Mahometan as the Popish religion, though he was himself a Roman Catholic.

With respect to their disinclination to negotiate for a French force to be sent into this kingdom of sufficient magnitude to conquer it—the idea of setting bounds to the ambition and rapacity of that power, if once enabled to establish itself here, is too absurd to deserve any notice; but it appears to your Committee, that the Directory of France have therefore declined to send any force to this country which will not enable them to dictate such terms to it as they may think fit, although it appears to have been urged to them, on the part of the Irish rebels, particularly by Lord Edward Fitzgerald, that the best expedient for accomplishing a revolution here would be, to dispatch fast-sailing frigates to the coast with small bodies of troops, and considerable supplies of arms and military stores, together with officers qualified to discipline the Irish peasantry; but from a letter supposed to be written from Paris by Lewins, the Irish agent, to the said Lord Edward Fitzgerald, which he read, shortly before his arrest, to John Cornick, a colonel in the rebel army of Dublin, it appears that the Directory of France disapproved of any such plan of carrying their object—the terms of the letter are: “The trustees have refused to advance the 5000*l.* on the security; they will not make any partial advance till they have the whole sum ready.”

Upon a review of this subject, of the evidence which has been collected, and of all those facts of notoriety which have taken place in this kingdom for the last eight years, your Committee feel themselves fully warranted to state, that there has been, during

the whole of that period, a seditious and treasonable faction in this country, whose object has been to subvert the constitution in church and state, and to separate Ireland from the British Crown, by inculcating the principles, and adopting the means which were successfully employed to abolish the religion, extirpate the nobility, and subvert the monarchy of France.

Your Committee here allude to the addresses which were forwarded at an early period, from this faction to the French National Assembly, to their commemorations of French festivals, particularly the 14th of July, to their attempts made to pervert the loyal institution of volunteers to the purposes of rebellion, by reviving it on the system of the French national guards; to the institution of the original societies of United Irishmen, their various seditious and treasonable publications in favour of the French and republican system, vilifying and degrading the Government and Parliament of their own country, particularly by representing the House of Commons, as it is constituted, not to be a legitimate branch of the Legislature; that it was in its original formation a violation of the rights of the people, and has continued to be an usurpation on them; to their persevering industry in issuing and circulating these and all other publications at the cheapest rate amongst the lower orders of the people, which could alienate their minds from the duty of allegiance, and inculcate the principles of insubordination, revolt, and irreligion; and to their attempts, in imitation of the French revolutionists, to form a national convention.

Your Committee further allude to the system of organization which they have already detailed, which appears to them to have been formed by this faction when their open attempts to subvert the constitution were frustrated by the Convention Act; and to the secret obligations which they imposed upon their associates, to elude detection and punishment.

Your Committee farther allude to the measures which were pursued by the same faction to intimidate the resident gentlemen of the country by midnight attacks, in order to drive them from their houses, or to enforce their connivance or support—a course which your Committee understand was pursued with fatal success in France; and to the impudent falsehoods and calumnies propagated with similar industry by the same faction, and by their partisans, representing the means to which the Government and Parliament were compelled to resort, for the suppression of midnight robbery and murder, and for the discomfiture of rebellion, as the source of these complicated evils.

Your Committee farther allude to the insidious address used by the same faction, in turning to their purposes the religious feuds, prejudices, and distinctions of the country, which were revived principally

ally by their wicked machinations; at one time flattering the fictions and hopes of the higher order of the Catholics, at the moment in which they meditated their destruction, and at another, seducing the lower ranks to indiscriminate acts of outrage and vengeance against their loyal fellow-subjects.

Your Committee farther allude to the plan formed by the same faction, of arraying and regimenting the whole mass of the people, of supplying them with arms and ammunition forced from the loyal, and of establishing in every part of the country manufactories of pikes to be distributed amongst the lowest ranks of the people.

Your Committee farther allude to the early disposition which appeared in the leaders of the same faction to correspond with the ruling powers of France, to obtain French assistance in their revolutionary projects, and to the regular system which they afterwards established, for connecting themselves with the Executive Directory of the French republic, wherein they appear to have acted as the ruling powers of the country, negotiating treaties and loans of money with foreign states.

Your Committee farther allude to the repeated attempts which have been made by the same faction to seduce the King's troops of different descriptions from their allegiance, and their attempts to deter his Majesty's loyal subjects from enrolling themselves in the yeomanry corps; to their plans of insurrection, massacre, and confiscation, which have been clearly proved against some of their leaders, who have been convicted of treason by due course of law, and have been confessed by others of them before your Committee; and above all, the desperate project of the same faction to corrupt the youth of the country, by introducing their organized system of treason into the university; which attempt was happily frustrated by the timely interposition of the visitors of Trinity College, and by the high spirit of honour and loyalty of the great body of students in that learned seminary.

Your Committee farther allude to the various insurrections which were meditated, as well as those which have actually taken place; to the late destructive rebellion, and the present invasion by a French force, which your Committee feel themselves warranted in stating accurately to correspond with the plan of revolutionizing this country, which was recommended by Lord Edward Fitzgerald.

It appears to your Committee, that the Government and Legislature being sensible of the designs thus meditated against the constitution of this kingdom, felt themselves bound to resist every demand which was made upon them by the same faction, with a view to effect their traitorous purposes; and as it appears from the confession of some of the most leading and notorious traitors engaged in this conspiracy,

conspiracy, that what they termed Catholic emancipation and parliamentary reform, were considered as the surest means of accomplishing their rebellious projects, your Committee cannot but applaud the wisdom and discretion of Parliament in withholding their assent to such wild and fatal concessions. If any thing was wanting in proof of their wisdom, it is supplied by a resolution entered into by the rebel provincial committees of Ulster and Leinster on the 19th February 1798, the day on which a proposition was made to your Lordships of concession and conciliation to the people, as a probable measure to tranquillize the country. This resolution was agreed to in the same words and on the same day, 19th February 1798, by two provincial committees, one assembled at Armagh, the other at Dublin; it has been authenticated to your Committee, and appears to have been officially reported to the Executive Directory of the rebellious Union, and is in the following words:—
 “Resolved, that we will pay no attention whatever to any attempt that may be made by either House of Parliament to divert the public mind from the grand object we have in view, as nothing short of the complete emancipation of our country will satisfy us.”

On the whole, your Committee attribute the salvation of this kingdom to the vigorous and decisive measures of the executive government, adopted in March 1797, and pursued from the same period; and to the firmness of Parliament, who, always disposed to promote the welfare and happiness of the people, have evinced a determined resolution never to yield to the artifices of traitors, what is intended only for the subversion of the constitution.—But your Committee think it their bounden duty to state to your Lordships, that although it appears to them that the system of treason and rebellion which had been established, is for the present considerably shaken, yet that, having fatally taken deep root in the country, it will require unceasing vigilance and attention, in every department of the state, to guard against the revival of it.

Your Committee have to lament deeply the facility with which the lower orders of the people may be seduced from their allegiance, and cannot but represent to your Lordships their decided opinion, that no effort should remain untried to open their eyes to the evils which they have invariably suffered by yielding to seduction, and to the wicked artifices of that traitorous association which has already involved them in extreme and complicated miseries.

Your Committee have thought it their duty to annex by way of appendix to this Report, the confessions of their treasons made on oath, by some of the most notorious and leading traitors who have been engaged in this conspiracy, and who have thrown themselves on his Majesty's clemency.

And your Committee beg leave also to refer your Lordships to the

report of the Committee of Secrecy of the House of Commons, which will be found to contain most interesting and important details upon this subject, all of which are fully illustrated and proved the Appendix annexed to this Report *.

be Ministers Plenipotentiary and Envoys Extraordinary from the United States of America to the French Republic, to the Minister of Exterior Relations.

Citizen Minister,

YOUR letter of the 28th Ventose (18th March), in answer to a memorial of the undersigned, dated 17th January, was received the day after its date, and has been considered with the most respectful attention.

In that memorial, the undersigned, without furnishing cause or reproach, might have limited themselves to a statement of the numerous and well-founded complaints of the nation they represent. They have been induced to extend their observations to her subjects, by that sincere desire to re-establish harmony and mutual confidence between the two republics, which the government of the United States has never ceased to feel and to express. Supposing that those misrepresentations to which human actions and human sentiments must ever continue to be exposed, might have impressed on the mind of the French government, occupied with the great and interesting events of Europe, the unfounded suspicion of partiality, on the part of America, for the enemies of France, the undersigned cherished the hope that a complete review of the conduct of their government, accompanied with a candid and thorough investigation of the real principles on which that conduct was founded, by removing prejudices, might restore sentiments which the United States have ever sought, and still seek to preserve.

In taking this review, it was obvious that a minute discussion of every particular fact might encumber the examination with details which previous explanations had rendered unnecessary, and therefore it was confined to those leading measures of which the particular cases were the necessary result. The undersigned, however, declared, and they still declare, that if the government of the United States has given just cause of complaint to that of France, in any case, they are ready to consider and to compensate the jury: that negotiation, the opening of which they have for

* The same reasons that occasioned the omission of the Appendix to the report of the Committee of Secrecy of the House of Commons, have induced us to omit the Appendix to the Report of the Committee of Secrecy of the House of Lords.

nearly six months unremittingly solicited and patiently attended would, if entered upon, demonstrate the sincerity of this declaration.

Still animated by the same spirit which has dictated all their efforts to approach this republic, still searching to remove unfavourable impressions by a candid display of truths, and a frank manifestation of the principles which have really governed the United States, and still endeavouring thereby to facilitate the restoration of harmony between two nations which ought to be the friends of each other, the undersigned will lay before you the result of their reflections on your letter of the 28th Ventose. Whatever force you may please to allow to their observation the relative situation of the two republics, it is hoped, will not fail to convince you that they proceed from the most perfect conviction of their justice.

You contend, Citizen Minister, that the priority of complaint is on the side of France, and that those measures which have so injured and oppressed the people of the United States, have been produced by the previous conduct of their government.

To this the undersigned will now only observe, that if France can justly complain of any act of the government of the United States, whether that act be prior or subsequent to the wrongs received by that government, a disposition and a wish to do in the case what justice and friendship may require is openly avowed, and will continue to be manifested.

Your complaints against the United States may be classed under three heads :

- 1st. The inexecution of their treaties with France.
- 2dly. The treaty of amity, commerce, and navigation formed with Great Britain.
- 3dly. The conduct of their government since that treaty.

If the undersigned shall be disappointed in their hope to convince you, that on no one of these points can their government be justly inculpated, yet they persuade themselves that the demonstration of the good faith and upright intention with which it has ever acted will be complete and satisfactory. This being proved, and a tender of compensation for any unintentional wrong being made, a base for accommodation is offered, which they must yet hope will be acceptable to France.

1st. The inexecution of the treaties between the United States and France. Under this head you complain, first, That from the commencement of the war, the American tribunals have, in effect, pretended to the right of taking cognizance of the validity of prizes brought into the ports of the United States.

2dly. That against the textual sense of the treaty, the government has permitted the ships of the enemy to come to in the port

ports, after having captured property or vessels belonging to French citizens.

3dly. That it has ordered the arrest of a national corvette, anchored in the port of Philadelphia, and that the arrestation has extended to the captain commandant.

4thly. The refusal to provide the means to execute the consular convention.

These complaints shall be considered in the order in which they are made.

1st. "From the commencement of the war, the American tribunals have, in effect, pretended to the right of taking cognisance of the validity of prizes brought into the ports of the United States by French cruizers."

You have not been pleased to state a case in which this right has been asserted, and the undersigned are persuaded that no such case exists.

Far from asserting it, the government of America has expressly disclaimed it. Mr. Jefferson, the then secretary of state, in his letter to Mr. Morris of the 16th of August 1793, which letter was laid before the French government, declares, "that the United States do not pretend any right to try the validity of captures made on the high seas by France, or any other nation, on its enemies.

"These questions belong, of common usage, to the sovereign of the captor, and whenever it is necessary to determine them, resort must be had to his courts. This is the case provided for in the 17th article of the treaty, which says, that such prizes shall not be arrested, nor cognisance taken of the validity thereof; a stipulation much insisted on by Mr. Genet and the consuls, and which we never thought of infringing or questioning."

Mr. Randolph, the successor of Mr. Jefferson, in his letter to Mr. Fauchet, of the 29th May 1795, says, "As to prizes made by legal cruizers on the high seas, it never was the intention of the President to interpose, he having abstained (as the 17th article of our treaty of commerce imports) from examining into their lawfulness."

Mr. Monroe, in his letter to your predecessor, of the 15th March 1796, says, "You will observe, I admit the principle, if a prize was taken upon the high seas, and by a privateer fitted out within the republic, or its dominions, that in such case our courts have no right to take cognisance of its validity. But is any case of this kind alleged? I presume none is or can be shown."

But the United States have deemed it an indispensable duty to prevent, so far as they could prevent, the practice of hostility against nations with whom they were at peace, within their own limits, or by privateers fitted out in their own ports.

For the reasoning of their government in support of this decision, the undersigned will again refer to the letter of Mr. Jefferson already quoted :

“ Another doctrine advanced by Mr. Genet is, that our courts can take no cognisance of questions, whether vessels held by them as prizes, are lawful prizes or not ; that this jurisdiction belongs exclusively to their consulates here, which have been lately erected by the National Assembly into complete courts of admiralty.

“ Let us consider, first, what is the extent of the jurisdiction which the consulates of France may rightfully exercise here. Every nation has, of natural right, entirely and exclusively, all the jurisdiction which may be rightfully exercised in the territory it occupies. It it cedes any portion of that jurisdiction to judges appointed by another nation, the limits of their power must depend upon the instrument of cession. The United States and France have, by their consular convention, given mutually to their consuls jurisdiction in certain cases especially enumerated. But that convention gives to neither the power of establishing complete courts of admiralty within the territory of the other, nor even of deciding the particular question of prize or not prize. The consulates of France then cannot take judicial cognisance of those questions here.

“ Of this opinion Mr. Genet was when he wrote his letter of May 27th, wherein he promises to correct the error of the consul at Charleston, of whom in my letter of the 15th I had complained as arrogating to himself that jurisdiction ; though in his subsequent letters he has thought proper to embark in the errors of his consuls.

“ The real question is, whether the United States have not a right to protect vessels within their waters, and on their coasts ? The Grange was taken within the Delaware, between the shores of the Jerseys and of the Delaware state, and several miles above its mouth. The seizing of her was a flagrant violation of the jurisdiction of the United States. Mr. Genet, however, instead of apologizing, takes great merit in his letters for giving her up. The William is said to have been taken within two miles of the shores of the United States. When the admiralty declined cognisance of the case, she was delivered to the French consul, according to my letter of June 25th, to be kept until the Executive of the United States should examine into the case ; and Mr. Genet was desired, by my letter of June 29th, to have them furnished with the evidence on behalf of the captors, as to the place of capture ; yet to this day it has never been done. The brig Fanny was alleged to be taken within five miles from our shore : the Catharine within two miles and a half. It is an essential attribute of the jurisdiction of every country to preserve peace and punish acts

in breach of it, and to restore property taken by force within its limits. Were the armed vessel of any nation to cut away one of our own from the wharves of Philadelphia, and to choose to call it a prize, would this exclude us from the right of redressing the wrong? Were it the vessel of another nation, are we not equally bound to protect it while within our limits? Were it seized in any other waters or on the shores of the United States, the right of redressing it is still the same: and humbled indeed would be our condition, were we obliged to depend for that on the will of a foreign consul, or on any negotiation with diplomatic agents. Accordingly this right of protection within its waters, and to a reasonable distance on its coasts, has been acknowledged by every nation, and denied to none; and if the property seized be yet within their power, it is their right and duty to redress the wrong themselves.

“ France herself has asserted the right in herself, and recognised it in us, in the 6th article of our treaty, where we mutually stipulate that we will, by all the means in our power (not by negotiation), protect and defend each other's vessels and effects in our ports or roads, or on the seas near our countries, and recover and restore the same to the right owners. The United Netherlands, Prussia, and Sweden, have recognised it also in treaties with us; and indeed it is a standing formule inserted in almost all the treaties of all nations, and proving the principle to be acknowledged by all nations.”

In the letter of Mr. Randolph to Mr. Fauchet, already cited, that gentleman resumes this subject, and Mr. Fauchet in answer says, “ The admiralty courts have always ceded to the entreaties of our enemies for their intervention in prize causes: in truth, frequently and almost constantly, by using the double plea of which you spoke to me, that is to say, by arguing either of seizure within the jurisdiction line of the United States, or of armament or augmentation of armament of the capturing vessels in their ports. On this subject, Sir, you request me to specify a circumstance where a prize was arrested, which did not come under that denomination; and you take the trouble to establish, that they have a right to intervene in every case that can be brought under those heads. In the first place, Sir, I never have, at least to my recollection, contested the right of your courts, or of the government, to interfere in matters of the nature of those you mention.”

It would seem to be incontestable, that the principle asserted by the United States, which indeed is an unquestionable principle, has been admitted in its utmost latitude by France. It is believed that in the execution of this principle, the government and tribunals have only been guided by a sense of duty and the obligations of justice. It in any case that can be selected, wrong has unin-

tionally been committed, that wrong has grown inevitably out of the situation of the United States, and of the conduct of persons they have been unable to control, and will with readiness be corrected.

2dly. "That against the textual sense of the treaty, the government has permitted the ships of the enemy to come to in their ports, after having captured property or vessels belonging to French citizens."

It is to be regretted, that you have not been pleased to state some particular case, if the case be founded on a fact, which has manifested this permission; or, if it be founded in principle, the precise difference between the construction given by the President of the United States to the article of the treaty of the 6th of February 1778, relative to this subject, and that for which you may contend. For the want of such a guide, the undersigned may discuss unnecessary points, without giving you complete satisfaction on that which in your mind may constitute the real difficulty.

The 17th article is in these words: "It shall be lawful for the ships of war of either party, and privateers, freely to carry whithersoever they please, the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the admiralty, or other judges; nor shall such prizes be arrested or seized when they come to or enter the ports of either party; nor shall the searchers or other officers of those places search the same, or make examination concerning the lawfulness of such prizes; but they may hoist sail at any time, and depart, and carry their prizes to the places expressed in their commissions, which the commanders of such ships of war shall be obliged to show: on the contrary, no shelter or refuge shall be given in their ports to such as shall have made prize of the subjects, people, or property of either of the parties; but if such shall come in, being forced by stress of weather or the dangers of the sea, all proper means shall be vigorously used that they go out and retire from thence as soon as possible." Do you contend, Citizen Minister, that this article ought to be rigidly construed according to its letter? If you do, it becomes necessary to ascertain what are the disabilities to which its letter really subjects the vessels belonging to the enemies of France. They are, 1st, That no shelter or refuge shall be given in the ports of the United States to the ships of war or privateers belonging to the enemy, which shall have made prize of the subjects, people, or property of France.—2dly, That if such ships of war or privateers shall come in, being forced by stress of weather or the danger of the seas, all proper means shall be vigorously used that they go out and retire from thence as soon as possible.

The letter of the article does not exclude generally the ships of war belonging to the enemy, but those only which have made prize

prize of the subjects, people, or property of France. That the vessel shall have made a prize is a part, and an essential part, of the description. Whether the vessel be or be not within this description is a fact, the ascertainment of which must precede the measures to be taken in consequence of that fact. When the fact shall have been ascertained, the letter of the article denies refuge or shelter to the ship of war or privateer, but not to the prize which may have been made. You well know, Citizen Minister, that if the letter of the article is to be set up against its spirit, when the former is most favourable to the views of France, the letter must still be adhered to, though it should counteract those views. The situation of the United States bound them to observe, between the belligerent powers, an exact neutrality, in all cases where their previous treaties had not stipulated advantages or imposed disabilities.

They could not refuse to one belligerent power those rights of ordinary hospitality which were enjoyed by others, which the common usages of nations permit, and which were forbidden by no particular treaty. Such refusal would have been manifestly partial, and a plain departure from that neutral position in which the United States found themselves, and which good faith, integrity, and their best interests impelled them religiously to maintain. Thus circumstanced, it was the duty of the government to give its true construction to a treaty granting advantages to one of the belligerent powers, and imposing disabilities on another. In searching for this true construction, its best judgment ought to be exercised, and the dictates of that judgment ought to be obeyed. The United States have done so: they have refused shelter in their ports to the prizes made on the French republic, or to the ships of war belonging to the enemy and accompanying such prizes.

They have permitted ships of war, not bringing prizes with them, to remain in their ports, without instituting tribunals to inquire whether such ships have at any time captured French citizens or French property. The reasoning on which this decision was founded, and which appears to the undersigned to have been conclusive, will not now be repeated. It has been detailed in several letters from the secretary of state of the United States, to the minister of France in Philadelphia. The undersigned will only observe, that the construction supposed to be just, and for that reason actually put upon the article, is believed to be more favourable than the literal construction to the interests of France.

Ships of war which have made prizes on this republic, if they enter the ports of the United States without such prizes, ought indeed, under the letter of the article, to be ordered to depart as soon as the fact can have been ascertained; but: prizes themselves are permitted to remain in safety. By the act a ship of war entering without a prize is |

all shelter is refused to a ship of war which is accompanied by a prize, and also to the prize itself. It would seldom happen that a ship of war, not driven in by stress of weather, or the danger of the seas, would wish to continue in port longer than the time which would unavoidably be consumed in ascertaining the fact of her having made a prize, but it must often happen that a prize now excluded from the ports of the United States, would find shelter in them if the literal construction of the treaty should be adopted.

This exposition given by the United States to this article was made known in 1793—France has never signified a wish that the literal construction throughout should be pursued. This strengthens the opinion entertained by the undersigned, that the rule on this subject, so early established by the American government, is considered by the republic as more favourable to its interests than a rule conforming entirely to the letter of the article.

3dly. “The government of the United States has ordered the arrest of a national corvette* anchored in the port of Philadelphia, and the arrestation has been extended to the captain commandant.”

The undersigned beg leave to state the case which is the foundation of this complaint. In the statement itself they trust will be found a complete justification of the conduct of the United States.

The *Cassius*, under the name of “*les Jumeaux*,” was fitted and armed for a vessel of war in the port of Philadelphia, in violation of a law of the United States. In December 1794, having escaped from the port to descend the river, orders were given to the militia of the state of Delaware to intercept her. The attempt was made, and failed. The crew of *les Jumeaux*, which was unexpectedly found to be very numerous, resisted the officers who went on board, manned their cannon and brought them to bear on the cutter in which the militia, about forty in number, were embarked. Their force being inadequate to the enterprise, they retired with an intention to return the next day with a reinforcement. They did so, but *les Jumeaux* had sailed and gone to sea. The agent, Mr. Guenet, by whom *les Jumeaux* had been fitted out, was tried at the circuit court in Philadelphia, convicted of the offence, and received sentence of fine and imprisonment.

Les Jumeaux proceeded to St. Domingo; Samuel B. Davis, a citizen of the United States, there took the command of her, with a commission from the French government. Davis probably sailed from Philadelphia in *les Jumeaux*, for the purpose of finally taking the command of her. Her name was now changed to

* *Le Cassius*.

le Cassius," and on a cruise she took a schooner called the **William** Lindsay, belonging to Messrs. Yard and Ketland of Philadelphia, Mr. Ketland having purchased an interest in her after sailing. The schooner and her cargo were condemned as prize at **St. Domingo**. In August 1795, Captain Davis, commanding the **Cassius**, came with her to Philadelphia; she was immediately **known**. Mr. Yard, with a view of obtaining an indemnification or the loss of the schooner and her cargo, libelled the **Cassius** in the **District** Court, and caused the captain to be arrested. Soon after, the Supreme Court being in session, Captain Davis's counsel applied for and obtained a prohibition to the **District** Court to stop its proceedings, by which the suits both against him and **le Cassius** were defeated. The prohibition was granted on this principle, that the trial of prizes taken without the jurisdiction of the United States, and carried to places within the jurisdiction of France for adjudication, by French vessels, and all questions incidental to it, belong exclusively to the French tribunals; and consequently that its vessels of war, and their officers, are not liable to process of our courts, predicated upon such capture and subsequent proceeding within the jurisdiction of the French government.

Messrs. Yard and Ketland having failed to obtain indemnification in this mode, procured new process on the information of Mr. Ketland, to be issued from the Circuit Court, by which **le Cassius** was attached as a vessel armed and equipped as a ship of war in the port of Philadelphia, with intent to cruise and commit hostilities against nations with whom the United States were at peace, in violation of the act of Congress prohibiting such armament. Mr. Adet complained that the process was taken out of the Circuit Court, because, as he alleged, it had no jurisdiction, and that it would be attended with delay, that court sitting but twice a year; whereas the **District** Court, in which it was said the prosecution, if at all permitted, should have been commenced, was always open. Gentlemen of legal knowledge were consulted on the point of jurisdiction in this case, and they were decided in their opinion that the Circuit Court had jurisdiction, and exclusively of the **District** Court. The government of the United States had no part in originating this prosecution; and the district attorney, in behalf of the United States, took measures at each term of the Circuit Court to prepare the cause for trial, and on a plea calculated to defeat the prosecution. At length, in **October** term 1796, the cause was brought to an hearing. In the course of the argument, the question of jurisdiction presented itself. The court adjourned until next day to consider of it, and the following morning dismissed the suit.

The undersigned may be permitted to ask, whether in a change of situation, placing France precisely in the circumstances of the

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the United States, either the corvette or her captain would have escaped?

4thly. "The refusal to provide the means to execute the consular convention of the 14th November 1788."

As you have not selected the particular parts of this convention supposed to remain unexecuted, the undersigned must necessarily consider the more definite charges heretofore made on the same subject as being adopted by you.

Your predecessor in office, in his letter to Mr. Monroe of the 19th Ventose, 4th year (9th March 1796), complains, 1st, That the clause granting to French consuls the right of judging exclusively in disputes between Frenchmen, is become illusory for the want of laws giving them the means of having their decisions executed.

2dly. The right of causing mariners who desert to be arrested, is rendered ineffectual, because the judges charged by the laws with issuing the mandates of arrest have lately required the presentation of the original roll of the crew, in contempt of the 5th article admitting in the tribunals of both powers, copies certified by the consul.

It is then understood to be required,

1st. That the officers of the United States should execute the judgments of the consuls:

2dly. That the judges of the United States should issue mandates of arrest against persons charged with being deserters, without a view of the original roll of the crew.

It is very justly observed by Mr. Jefferson, in his letter to Mr. Morris, which has been already cited, that "every nation has, of natural right, entirely and exclusively all the jurisdiction which may be rightfully exercised in the territory it occupies. If it cedes any portion of that jurisdiction to judges appointed by another nation, the limits of their power must depend upon the instrument of cession." The parties to the convention profess its object to be, "to define and establish in a reciprocal and permanent manner the functions and privileges of consuls and vice-consuls."

It is to be expected then, as well from the intention of the convention establishing the tribunal, as from the nature of the tribunal itself, which is a foreign court, constituted by a foreign authority, governed by foreign laws, and amenable for its conduct to a foreign government, that no power is to be implied, and that it possesses no capacity which is not expressly given to it. To ascertain then the precise extent of the stipulation, let the convention itself be considered.

The first point rests exclusively on the 12th article, which is in these words: "All differences and suits between the subjects of his most Christian Majesty in the United States, or between the citizens of the United States within the dominions of the most Christian

Christian King, and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences, of whatever nature they may be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nations, shall be determined by the respective consuls and vice-consuls, either by a reference to arbitrators, or by a summary judgment, and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter: and the appeals from the said consular sentences shall be carried before the tribunals of France or of the United States, to whom it may appertain to take cognisance thereof."

In this article no engagement is made to furnish the means of executing consular judgments. If therefore the preceding positions be just, there is an end of the question. But other arguments present themselves in support of the construction contended for by the United States. The consular authority in a foreign country is usually either voluntary, or enforced by the laws of the nation to which the consuls belong, and which may bind their own citizens or subjects under penalties to be inflicted on their return, or otherwise. Upon this idea it was sufficient to stipulate a permission of the jurisdiction, in exclusion of the courts of the country: on any other idea, it would have been necessary to have stipulated explicitly and perhaps in detail, the manner in which its sentences should be executed. To accede to the demands of France, would be to erect in a foreign country complete courts of justice, with effectual process to compel the appearance of parties and witnesses, and to execute their decisions. And as the transactions in commerce could not, in the nature of things, be confined to foreigners alone, the citizens of the country must often be necessary witnesses to those transactions, and of course rendered amenable to this foreign jurisdiction in their own country; whereas the jurisdiction granted by the article, is only of French consuls over French citizens in the United States, and reciprocally of American consuls over the citizens of the United States in France. This would be to extend, by implication, the authority of a foreigner over persons not contemplated by the treaty as subject to it. The article declares too, "that no officer of the country, civil or military, shall interfere therein, or take any part in the matter." But sheriffs, marshals, and their deputies, or any other persons appointed by, and acting under the laws of the country, are "officers of the country," and consequently cannot aid in the execution of consular decisions, because they are expressly forbidden "to interfere therein, or take any part whatever in the matter."

But was it meant that the laws should give consuls the power to appoint such executive officers of their own nation? Should it be conceded, that a person so appointed could not be considered as an officer of that nation by virtue of and according to whose laws he held his office, still we find no such thing in the convention. On the contrary, in the case of deserters from vessels, mentioned in the 9th article, whom the consuls are authorized to cause to be arrested, they are expressly directed to apply in writing to the "courts, judges, and officers competent" to make the arrests, meaning the courts, judges, and officers of the country where the consuls reside. In addition to this, if power could be given to consuls to appoint officers to execute their decisions, these officers must of course have their fees of compensation to be paid by one or other of the parties. But the article giving the jurisdiction, declares that the consular judgments shall be "without costs."

The second complaint is, that the judges of the United States have required the exhibition of the original roll of the crew as the testimony which would authorize the issuing of a mandate to apprehend a French mariner charged as a deserter. The right to require these mandates is founded entirely on the 9th article of the consular convention.

That declares, "That the consuls and vice-consuls shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ship's roll, that those men were part of the said crews; and on this demand so proved (saving however where the contrary is proved), the delivery shall not be refused."

It would be an idle waste of time to attempt to prove to you, Citizen Minister, that the register of the vessel or ship's roll is not a copy of that paper, or that a copy does not satisfy a law which peremptorily requires the exhibition of the original. Your predecessor has thought proper to refer to the 5th article of that instrument; but a slight perusal of that article will convince you, Citizen Minister, that it does not apply to the case. When the judges of the United States determined that the mandate of arrest could not be issued on the exhibition of a "copy of the register of the vessel or ship's roll," they did not so decide for the purpose of giving effect to the system of the government, but because the treaty was clearly understood by them positively to require the presentation of the original.

The undersigned regret, Citizen Minister, that your researches concerning the United States have not extended to their courts. You would have perceived and admired their purity. You would have perceived that America may repose herself securely on the integrity of her judges, and your justice would have spared the insinuations

insinuations concerning them which have closed this part of your letter.

The undersigned will now consider what you have stated with respect to the treaty of amity, commerce, and navigation, formed with Great Britain.

You complain, Citizen Minister, in very strong terms, of the deception alleged to have been practised with respect to the object of Mr. Jay's mission to London, and also of the contents of the treaty which that mission produced. You are pleased to observe, that it was then said, that Mr. Jay had been sent to London, only to negotiate arrangements relative to the depredations committed on the American commerce by the cruisers of Great Britain.

By whom, Citizen Minister, was this said? Not by the President in his message to the Senate, announcing the nomination of Mr. Jay: nor by the then Secretary of State, in communicating to Mr. Fauchet the subject of that mission. The documents with respect to this assertion have been stated, and have been fully commented on. It has been fully demonstrated that the American government did not seize this occasion to practise a deception so unnecessary, so foreign to its well-known character, and which could produce only mischief to itself. As you have in no degree weakened the testimony which is relied on as disproving this allegation, or produced any sort of evidence in support of it, the undersigned cannot but mingle some degree of surprise with the regrets they feel at seeing it repeated, accompanied with the charge of that "dissimulation," of which all who examine well the conduct of the government of the United States will so readily pronounce it to be incapable. You also criminate the secrecy which attended this negotiation. To this complaint, when formerly insisted on, it was answered, that so much of it as was material to this republic was immediately communicated to her minister; and that she had no right to inquire further, or to be dissatisfied that other objects were not disclosed; that it is not the practice of France, nor of any other nation, to communicate to others the particular subjects of negotiation which may be contemplated; and that no nation could be independent, which admitted itself to be accountable to another for the manner in which it might judge proper to regulate its own concerns, on points in which that other was not interested, or which was bound to give previous intimation of every article which might be inserted in a treaty, formed on the avowed principle of leaving in full force all pre-existing engagements. This reasoning is answered only by terming it a "sophism," "an insidious subterfuge." May not any reasoning, on any subject, be answered in the same manner? But can such an answer impair its force? Without doubt, Citizen Minister, the government of the United States,

States, when it informed France that the negotiations of Mr. Jay would not in any respect weaken its engagements to this republic, would have added, that they might eventually extend to a commercial treaty, if it had been supposed that the omission to give such information could really be considered as a breach of legitimate obligation, or as an evidence of diminished friendship. The information was most probably not given, because it was unusual, and because it could neither be considered as proper, as necessary, or as material. The undersigned trusts that the painful and unavailing discussions on this subject, rendered so unpleasant by the manner in which it has been treated, will never again be renewed.

Passing to the treaty itself, you say that the small majority by which it was sanctioned in the two Houses of Congress, and the number of respectable voices raised against it in the nation, dispose honourably in favour of the opinion which the French government has entertained of it. But you must be sensible, Citizen Minister, that the criterion by which you ascertain the merits of the instrument in question, is by no means infallible, nor can it warrant the inference you draw from it. In a republic like that of the United States, where no individual fears to utter what his judgment or his passions may dictate, where an unrestrained press conveys alike to the public eye the labours of virtue and the efforts of particular interests, no subject which agitates and interests the public mind can unite the public voice, or entirely escape public censure. In pursuit of the same objects a difference of opinion will arise in the purest minds, from the different manner in which those objects are viewed; and there are situations in which a variety of passions combine to silence the voice of reason, and to betray the soundest judgments. In such situations, if the merit of an instrument is to be decided, not by itself, but by the approbation or disapprobation it may experience, it would surely be a safer rule to take as a guide the decision of a majority, however small that majority may be, than to follow the minority. A treaty too may be opposed as injurious to the United States, though it should not contain a single clause which could prejudice the interests of France. It ought not to be supposed that a treaty would for that reason be offensive to this republic.

Had you been pleased to state any objections to this instrument drawn from the compact itself, the undersigned would have given to those objections the most serious and respectful consideration. But it is supposed that you adopt, without adding to, the complaints made by your predecessor and by Mr. Adet, when you observe, that you will not repeat what they have said. These complaints have been amply discussed in the memorial the undersigned had the honour to transmit you, bearing date 17th of January. It is believed to have been demonstrated that the stipulations com-
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plained of do not in the most remote degree wound the interests of France, affect the pre-existing engagements of the United States, or change their situation in relation to the belligerent powers. Such, incontestably, was and is the opinion of the American government, and in this opinion only would the treaty have been agreed to. As no one of the arguments which have at various times been urged on this subject, on the part of the United States, has ever yet been noticed, the undersigned deem unnecessary any attempt to re-urge or to strengthen them. You say that you will content yourself "with observing summarily, that in this treaty every thing having been provided to turn the neutrality of the United States to the disadvantage of the French republic, and to the advantage of England; that the federal government having in this act made to Great Britain concessions the most unheard-of, the most incompatible with the interests of the United States, and the most derogatory from the alliance which existed between the said states and the French republic, the latter was perfectly free to avail itself of the preservatory means with which it was furnished by the laws of nature and of nations, and by its anterior treaty, for the purpose of parrying the inconveniences of the treaty of London. Such are the reasons which have determined the arrêtés of the Directory of which the United States complain, as well as the conduct of its agents in the Antilles." But you have not shown a single provision, "which turns the neutrality of the United States to the disadvantage of the French republic and to the advantage of England." You have not shown a single concession "incompatible with the interests of the United States," or "derogatory from their alliance with France."

It is considered as having been demonstrated, that this treaty leaves the neutrality of the United States, with respect both to France and England, precisely in its former situation, and that it contains no concessions which are either unusual, or derogatory from their alliance with this republic. But if in forming this judgment the American government has deceived itself, still it ought to be remembered that it has ever manifested a readiness to place France on the footing of England with respect to the articles complained of.

You suppose that the 2d article of the treaty between France and the United States justifies the arrêtés of which the latter power complains: but that article only entitles either of the contracting parties to a participation of any particular favour in respect of commerce or navigation, which might thereafter be granted by the other to other nations, on allowing the same compensation, if the concession was conditional. It has never been pretended to extend to pre existing rights held and exercised under the law of nations, and barely recognised by any subsequent treaty. If this could be insisted on, still it was shown incontestably by the under-

undersigned, that the *arrêté* particularly complained of, so far as it professes to found itself on the treaty with England, greatly transcends that treaty, and in its most noxious article, that requiring a rôle d'équipage, has no relation to it. This all-essential circumstance you have not been pleased to notice; and it is with infinite regret the undersigned observe, that the discussions at which you hint are to be limited to the abuses of the principle established by the *arrêté*, and not extended to the compatibility of the principle itself with justice, the laws of nations, or existing treaties.

It is well known that such a discussion, if indeed the undersigned could be permitted to enter upon it, would avail but little, since the vast mass of American property captured by the cruisers, and condemned by the courts of France, has been found in vessels not furnished with a rôle d'équipage.

The undersigned have been minute in their attention to every syllable you have uttered on this interesting subject, because it has been often considered as having given cause of just irritation to France, and they are sincerely desirous of probing to the bottom every subject which may have assumed that complexion. Their wish is unaffected, to give to every complaint its real value, in order thus to prepare the way for accommodation, by the relinquishment of such as are not well founded, and the admission of those which have a real existence.

The third head of your complaints relates to the conduct of the government of the United States since their treaty with England.

You observe, that as soon as the treaty in question had been put in execution, the government of the United States seemed to think itself dispensed from the observance of any measures towards this republic, and you adduce in support of this general observation,

1st. The refusal to permit in the ports of the United States the sale of prizes made by French cruisers.

2dly. The invectives and calumnies against the French government, its principles and its officers, contained in certain journals and pamphlets published in the United States, &c.

3dly. The speech of the President to Congress in May last.

1st. The government of the United States does not permit the sale in their ports of prizes made upon England by the cruisers of France.

The fact is admitted. To erect it into an offence, it becomes necessary to prove that this measure violates either the engagements or the neutrality of the United States. Neither is attempted. To show that it violates neither, had this been rendered necessary, would by no means have been deemed an arduous task. It will now only briefly be observed, that the 17th article of the treaty of commerce of the 6th of February 1778, which alone relates

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to this subject, so far from stipulating for the sale of prizes in the ports of either nation, limits itself to a declaration, that the captors shall have liberty to bring them into port, free from duties, arrears, and searches, and to depart with them to the places expressed in their commissions; thereby evidently contemplating the then existing regulations of this nation. France has manifested her own opinion on this subject, in her treaty with Great Britain of the 26th of September 1786. The 16th article of that treaty declares, "That it shall not be lawful for foreign cruisers who shall not be the subjects of one or the other crown, and who shall have a commission from any prince or state, enemies of the one or the other, to arm their vessels in the ports of one or the other of the said two kingdoms, to sell there what they shall have taken, or to change the same in any manner whatever." In a war with England then, France being neutral, the cruisers of the United States are forbidden to sell their prizes in the ports of this republic. The 17th article of the treaty of February 1778, being reciprocal, France has pronounced her decision, that it does not give her cruisers a right to sell their prizes in the ports of America. If this right had been given by the treaty of February 1778, that between the United States and England could not be construed to impair it. Nor is the prohibition a departure from the neutrality of the United States. A nation, to violate its neutrality, must manifest a partiality for one of the belligerent powers, must accord favours not stipulated by pre-existing treaties to one which it refuses to the other. This is not even alleged in the present instance. Far from permitting British cruisers to sell in the United States prizes they have made on the French, they are not even allowed to bring them into port. A candid consideration of this subject will prove that the withdrawal of a favour, the grant of which manifested so strongly the attachments of the United States, far from justifying the resentments which have been expressed in consequence of it, can only be attributed to the solicitude of the American government to render perfectly unexceptionable its observance of that neutrality which it professes to maintain. It has been shown unequivocally to have been the opinion of the contracting parties, that the treaty of commerce of the 6th of February 1778, did not give to either being at war, a right to sell its prizes in the ports of the other being at peace. It is not pretended that this is one of the rights accruing, without special stipulation, under the laws and usages of nations.

It is not then a right at all. If granted, it is a voluntary favour. But a voluntary favour essential in the prosecution of the war, if granted by a neutral to one belligerent power, and of necessity refused to the other, affords to that other at least a more plausible pretext for complaint than has been given by any other act of the government of the United States. What, in such a situation,

situation, would have been the language of France? Would this republic permit a neutral nation, not bound thereto by any obligation whatever, to allow in its ports as a voluntary favour the sale of prizes made on French citizens, while the same favour was of necessity denied to the cruisers of France?

It is believed that such an use of neutrality would not be permitted; and the undersigned felicitate themselves and their country that the government they represent has never intentionally given to this republic any cause of dissatisfaction, as serious as this would have been. You will not fail to observe, Citizen Minister, that this heavy accusation, when analysed, is nothing more than the refusal of a mere favour on the part of the American government, the grant of which might have been dangerous to itself, might have drawn it from that neutral station which it is its duty to observe, and which favour France had previously, in the most explicit terms, declared its determination not to grant under similar circumstances to the United States.

2dly. Your second allegation is, "that the journals known to be indirectly under the control of the cabinet have redoubled their invectives and calumnies against the republic, its magistrates and its envoys; and that pamphlets openly paid for by the minister of Great Britain have reproduced under every form, those insults and calumnies, without having ever drawn the attention of the government to a state of things so scandalous, and which it might have repressed."

The genius of the constitution, and the opinions of the people of the United States, cannot be over-ruled by those who administer the government. Among those principles deemed sacred in America; among those sacred rights considered as forming the bulwark of their liberty, which the government contemplates with awful reverence, and would approach only with the most cautious circumspection, there is no one of which the importance is more deeply impressed on the public mind than the liberty of the press. That this liberty is often carried to excess, that it has sometimes degenerated into licentiousness, is seen and lamented; but the remedy has not yet been discovered. Perhaps it is an evil inseparable from the good with which it is allied: perhaps it is a shoot which cannot be stripped from the stalk without wounding vitally the plant from which it is torn. However desirable those measures might be which might correct without enslaving the press, they have never yet been devised in America. No regulations exist which enable the government to suppress whatever calumnies or invectives any individual may choose to offer to the public eye; or to punish such calumnies and invectives, otherwise than by a legal prosecution in courts which are alike open to all who consider themselves as injured. Without doubt this abuse of a valuable privilege is matter of peculiar regret when it is extended to the

the government of a foreign nation. The undersigned are persuaded, it never has been so extended with the approbation of the government of the United States. Discussions respecting the conduct of foreign powers, especially on points respecting the rights and interests of America, are unavoidably made in a nation where public measures are the results of public opinion, and certainly do not furnish cause of reproach; but it is believed that calumny and invective have never been substituted for the manly reasoning of an enlightened and injured people, without giving pain to those who administer the affairs of the Union. Certainly this offence, if it be deemed by France of sufficient magnitude to be worthy of notice, has not been confined to this republic. It has been still more profusely lavished on its enemies, and has even been bestowed with an unsparing hand on the federal government itself. Nothing can be more notorious than the calumnies and invectives with which the wisest measures and the most virtuous characters of the United States have been pursued and traduced. It is a calamity incident to the nature of liberty, and which can produce no serious evil to France. It is a calamity occasioned neither by the direct nor indirect influence of the American government. In fact, that government is believed to exercise no influence over any press. You must be sensible, Citizen Minister, with how much truth the same complaint might be urged on the part of the United States. You must know well, what degrading and unworthy calumnies against their government, its principles, and its officers, have been published to the world by French journalists, and in French pamphlets: that government has even been charged with betraying the best interests of the nation, with having put itself under the guidance of—nay more, with having sold itself to a foreign court. But these calumnies, atrocious as they are, have never constituted a subject of complaint against France. Had not other causes, infinitely more serious and weighty, interrupted the harmony of the two republics, it would still have remained unimpaired, and the mission of the undersigned would never have been rendered necessary.

3dly. You complain of the speech of the President made to Congress in May last. It denounces, you say, the Executive Directory, as searching to propagate anarchy and division in the United States. The constitution of the United States imposes on the President this important duty: "He shall from time to time give to the Congress information of the state of the Union." It having been deemed proper to recall the minister from the United States to this republic, and to replace him by a citizen, the objects of whose mission, as expressed in his letters of credence, were, "to maintain that good understanding, which, from the commencement of the alliance, had subsisted between the two nations; and to efface unfavourable impressions, banish suspi-

cions, and to restore that cordiality which was at once the evidence and pledge of a friendly union;" the President of the Directory addressed the recalled minister in the following terms: "In presenting to-day to the Executive Directory your letters of recall, you give to Europe a strange spectacle. France, rich in her liberty, surrounded with the train of her victories, strong in the esteem of her allies, will not abase herself by calculating the consequences of the condescensions of the American government to the suggestions of its ancient tyrants. The French republic hopes, moreover, that the successors of Columbus, Raleigh, and Penn, always proud of their liberty, will never forget that they owe it to France. They will weigh in their wisdom the magnanimous good will of the French people with the crafty caresses of certain perfidious persons, who meditate to bring them back to their ancient slavery. Assure, Mr. Minister, the good American people, that like them we adore liberty; that they will always have our esteem, and that they will find in the French people that republican generosity, which knows as well how to grant peace as to cause its sovereignty to be respected."

The change of a minister is an ordinary act for which no government is accountable to another, and which has not heretofore been "a strange spectacle" in France, or in any other part of Europe. It appears to be a measure not of itself calculated to draw on the government making such change, the strictures or the resentments of the nation to which the minister is deputed. Such an effect, produced by so inadequate a cause, could not fail to command attention, while it excited surprise.

This official speech, addressed by the government of France to that of the United States, through its minister, charges that government with condescensions to the suggestions of its ancient tyrants, speaks of the crafty caresses of certain perfidious persons who meditate to bring back the successors of Columbus, Raleigh, and Penn, to their ancient slavery, and desires the minister to assure, not his government, but the good people of America, that they will always have the esteem of France, and that they will find in the French people that republican generosity which knows as well how to grant peace as to cause its sovereignty to be respected.

That a minister should carry any assurances from a foreign government to the people of his nation, is as remarkable as the difference between the manner in which his government and his people are addressed. His government are charged with condescension to the suggestions of the ancient tyrants of his country, but the people are considered as loving liberty, and they are to be assured of the perpetual esteem of France. This esteem they are to weigh against the crafty caresses of those perfidious persons who meditate to bring them back to their former slavery.

When this speech, thus addressed directly to the government and people of the United States, in the face of Europe and the world, came to be considered in connexion with other measures; when it came to be considered in connexion with the wide-spreading devastation to which their commerce was subjected, with the cruel severities practised on their seamen, with the recall of the minister of France from the United States, and the very extraordinary manner in which that recall was signified by him both to the government and people, with the refusal even to hear the messenger of peace, deputed from the United States for the sole purpose of conciliation; it could not fail to make on the American mind a deep and a serious impression. It was considered as a fact too important to be held from the Congress, by that department of the government which is charged with the duties of maintaining its intercourse with foreign nations, and of making communications to the legislature of the Union. The President, therefore, did communicate it in the following words: "With this conduct of the French government it will be proper to take into view the public audience given to the late minister of the United States on his taking leave of the Executive Directory. The speech of the President discloses sentiments more alarming than the refusal of a minister, because more dangerous to our independence and union, and at the same time studiously marked with indignities towards the government of the United States. It evinces a disposition to separate the people of the United States from the government; to persuade them that they have different affections, principles, and interests, from those of their fellow-citizens, whom they themselves have chosen to manage their common concerns; and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision which shall convince France and the world, that we are not a degraded people, humiliated under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honour, character, and interest.

"I should have been happy to have thrown a veil over these transactions, if it had been possible to conceal them; but they have passed on the great theatre of the world, in the face of all Europe and America, and with such circumstances of publicity and solemnity, that they cannot be disguised, and will not soon be forgotten; they have inflicted a wound in the American breast. It is my sincere desire, however, that it may be healed."

It is hoped that this communication will be viewed in its true light, that it will no longer be considered as a denunciation of the Executive Directory, but as the statement of an all-important fact by one department of the American government to another, the making of which was enjoined by duties of the highest obligation.

The undersigned have now, Citizen Minister, passed through the complaints you urge against the government of the United States. They have endeavoured to consider those complaints impartially, and to weigh them in the scales of justice and of truth. If any of them be well founded, France herself could not demand more readily, than America would make, reparation for the injury sustained. The President of the United States has said, "If we have committed errors, and these can be demonstrated, we shall be willing to correct them; if we have done injuries, we shall be willing, on conviction, to redress them." These dispositions on the part of the government have been felt in all their force by the undersigned, and have constantly regulated their conduct.

The undersigned will not resume, Citizen Minister, the painful task of re-urging the multiplied injuries which have been accumulated on their country, and which have been in some degree detailed in their memorial of the 17th January last. They cannot, however, decline to remonstrate against a measure which has been announced since that date. The Legislative Councils of the French republic have decreed that,

1st. "The condition of ships, in every thing which concerns their character as neutrals or enemies, shall be determined by their cargo; consequently every vessel found at sea, laden in whole or in part with merchandise coming out of England, or its possessions, shall be declared good prize, whoever may be the proprietors of such commodities or merchandise."

2dly. "No foreign vessel, which in the course of its voyage shall have entered into an English port, shall be admitted into any port of the French republic, but in the case of necessity; in which case such vessel shall be obliged to depart from such port so soon as the cause of entry shall have ceased."

This decree too deeply affects the interests of the United States to remain unattended to by their ministers. They pray you, therefore, Citizen Minister, to receive their respectful representations concerning it.

The object of the decree is, to cut off all direct intercourse between neutrals and Great Britain, or its possessions, and to prevent the acquisition, even by circuitous commerce, of those articles which come from England or its dominions.

The right of one nation to exchange with another the surplus produce of its labour, for those articles which may supply its wants or administer to its comfort, is too essential to have been ever classed among those admitted to be in any degree doubtful. It is a right, in ceding which a nation would cede the privilege of regulating its own interests and providing for its own welfare. When any two nations shall choose to make war on each other, they have never been considered, nor can they be considered as thereby authorizing themselves to impair the essential rights of those

those who may choose to remain at peace. Consequently these rights, the free exercise of which is essential to its interests and welfare, must be retained by a neutral power, whatever nations may be involved in a war.

The right of a belligerent to restrain a neutral from assisting his enemy by supplying him with those articles which are defined as contraband, has been universally submitted to; but to cut off all intercourse between neutrals and an enemy, to declare that any single article which may have come from the possessions of an enemy, whoever may be its owner, shall of itself be sufficient to condemn both vessel and cargo, is to exercise a control over the conduct of neutrals which war can never give, and which is alike incompatible with their dignity and their welfare.

The rights of belligerents are the same. If this might be exercised by one, so might it be exercised by every other. If it might be exercised in the present, so it might be exercised in every future war. This decree is, therefore, on the part of France, the practical assertion of a principle which would destroy all direct or circuitous commerce between belligerent and neutral powers, which would often interrupt the business of a large portion of the world, and withdraw or change the employment of a very considerable portion of the human race.

This is not all. It is the exercise of a power which war is not admitted to give, and which, therefore, may be assumed in peace as well as war.

It essentially affects the internal economy of nations, and deranges that course of industry which they have a right to pursue, and on which their prosperity depends.

To acquiesce, therefore, in the existing state of things, under a principle so extensive and so pernicious, is to establish a precedent for national degradation which can never cease to apply, and which will authorize any measures which power may be disposed to practise.

France, therefore, will perceive that neutral governments, whatever may be their dispositions towards this republic, are impelled by duties of the highest obligation, to remonstrate against a decree, which at the same time invades their interests and their independence, which takes from them the profits of an honest and lawful industry, as well as the inestimable privilege of conducting their own affairs as their own judgments may direct.

It is hoped that the remonstrances of the United States on this subject will derive additional force from their subsisting engagements with France, and from a situation peculiar to themselves.

The twenty-third article of the treaty of amity and commerce of the 6th of February 1778, is in these words: "It shall be lawful for all and singular the subjects of the most Christian King, and the citizens, people, and inhabitants of the said United States,

to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandises laden thereon, from any port to the places of those who now are, or hereafter shall be at enmity with the most Christian King or the United States. It shall likewise be lawful for the subjects and inhabitants aforesaid, to sail with the ships and merchandises afore-mentioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy before mentioned to neutral places, but also from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the jurisdiction of the said prince, or under several. And it is hereby stipulated, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading, or any part thereof, should appertain to the enemies of either; contraband goods being always excepted. It is also agreed, in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are soldiers, and in actual service of the enemy."

The two nations contemplating and providing for the case when one may be at war, and the other at peace, solemnly stipulate and pledge themselves to each other, that in such an event the subjects or citizens of the party at peace may freely trade with the enemy of the other, may freely sail with their ships in all manner of security, to and from any port or place belonging to such enemy. Not only goods coming from the hostile territory, but the very goods of the enemy himself, may be carried with safety in the vessels of either of the contracting parties.

You will perceive, Citizen Minister, without requiring the undersigned to execute the painful task of drawing the contract, how openly and entirely the decree of the Councils opposes itself to the treaty between France and the United States.

In addition to the hitherto unceded rights of a sovereign and independent nation, in addition to the right stipulated by compact, the undersigned will respectfully submit other considerations growing out of the peculiar situation of the United States, manifesting the particular hardships the decree complained of must impose on them.

In possession of a rich, extensive, and unsettled country, the labour of the United States is not yet sufficient for the full cultivation of its soil, and consequently but a very small portion of it can have been applied to manufactures. Articles of the first
necessity

necessity and comfort are imported in exchange for provisions and for the raw materials which are the growth of the country, and which its inhabitants are accustomed to raise.

It is at any time extremely difficult, nor is it practicable without great loss, to change suddenly the habits of a whole people, and that course of industry in which their population and their real interests have engaged them. An agricultural cannot suddenly, and at will, become a manufacturing people; the United States cannot instantaneously, on the mere passing of a decree, transfer to the manufacture of articles heretofore imported, such a portion of their labour as will at the same time furnish a market for the surplus commodities, and a supply for the wants of the cultivator of the soil. It is therefore scarcely possible for them to surrender their foreign commerce.

Independent of the right they possess in common with others to search for and choose the best markets, it is believed that the supplies they need could with difficulty, in the actual state of the world, be completely furnished, without the aid of England and its possessions. It is not pretended that France manufactures at present for foreign consumption, nor do the undersigned suppose that there exists a market where the citizens of the United States can obtain in exchange the articles they need and are accustomed to consume, if those coming out of England and its possessions be entirely excluded. A variety of other considerations, and especially the difficulties individuals must encounter in suddenly breaking old and forming new connexions, in forcing all their commerce into channels not yet well explored, in trading without a sufficient capital to countries where they have no credit, combine to render almost impossible an immediate dissolution of commercial intercourse between the United States and Great Britain.

If then the decree complained of shall be executed on American vessels, it can only increase grievances already but too considerable, and transfer the carriage of English manufactures for American consumption, from their own to British bottoms, sailing under the protection of a convoy. Instead of wounding England, it will probably aggrandize its marine, by sacrificing the remnant of that of the United States, and by destroying that system of policy by which they have heretofore sought to give their own vessels that portion of their own carrying trade, which would otherwise be enjoyed by British merchants.

You have made some general animadversions on the government of the United States, which the undersigned feel themselves bound briefly to notice.

You have charged that government with giving instructions not in the sincere intention of arriving at pacific results, and yet the undersigned have offered to change those clauses in the treaty
of

of 1778, which have become inconvenient to France, and to repair any injuries which may have been committed.

You have charged that government with omitting nothing to prolong and augment the misunderstanding between the two republics ; but does not the fact, that the undersigned are now in Paris, furnish persuasive evidence to the contrary ?

You have charged it with searching to justify, by deceitful appearances, the prejudices with which it surrounds at pleasure the name of the republic, and the system of exasperation and separation pursued in this respect with the strangest obstinacy. But has not this republic, in terms the most cordial, been again and again entreated to enter into a candid investigation of the mutual complaints of the two nations ? Have not these entreaties been unnoticed, whilst the ministers deputed to make them have remained unaccredited ?

You have charged it with wishing to seize the first favourable occasion for consummating an intimate union with a power, towards which a devotion and a partiality are professed which have long constituted the principle of the conduct of the federal government ; but whilst no devotion or partiality has been expressed for any nation except France, have not the United States made, and are they not still making the most extraordinary efforts to restore the broken relations between the two republics ?

In a letter discussing the important interests of two great nations, the undersigned are unwilling to introduce what relates personally to themselves.

This unwished-for task has been rendered a duty, by ascribing to them opinions and relations which exist in imagination only, and by adducing those supposed opinions and relations as proofs of an indisposition, on the part of the government which has deputed them, towards that accommodation which has been sought so unremittingly through all those difficulties and impediments with which the pursuit has been embarrassed.

You are pleased to add, that these intentions are so little disguised, " that nothing seems to have been neglected at Philadelphia, to manifest them to every eye. It is probably with this view that it has been judged proper to send to the French republic persons whose opinions and relations are too well known to hope from them dispositions sincerely conciliatory."

The opinions and relations of the undersigned are purely American, unmixed with any particle of foreign tint. If they possess a quality on which they pride themselves, it is an attachment to the happiness and welfare of their country ; if they could at will select the means of manifesting that attachment, it would be by effecting a sincere and real accommodation between France and the United States, on principles promoting the interests of both, and consistent with the independence of the latter.

It requires no assurance to evince that every real American must with sincerity to extricate his country from the ills it suffers, and from the greater ills with which it is threatened; but all who love liberty, must admit that it does not exist in a nation which cannot exercise the right of maintaining its neutrality. If "opinions and relations," such as these, are incompatible with "dispositions sincerely conciliatory," then indeed has the federal government chosen unfit instruments for the expressions of its pacific disposition.

You contrast the conduct observed by the United States, under analogous circumstances, towards the cabinet of St. James's, with that which is observed towards this republic. You say, that on that occasion there was a solicitude to send to London ministers well known to possess sentiments conformable to the objects of their mission; that the republic has a right to count upon a similar deference; and that if a like attention has not been observed with respect to it, it is too probable that it must be attributed to the views already indicated.

If, unfortunately, the cases shall exhibit a contrast, it is not to be found in the characters the United States have thought proper to employ, or in the conduct of their government, otherwise than by the superior attention manifested towards this republic, and never shown to any other nation, in deputing to it, with ample powers, three envoys extraordinary and ministers plenipotentiary from the three great divisions of the United States. The ministers sent to the cabinet of St. James's greatly deserved the confidence of their country; but they did not possess sentiments more conformable to the objects of their mission than those deputed to this republic. They did not wish more ardently to effect reconciliation; nor is it believed that any persons who could have been deputed to that cabinet, would have submitted to greater sacrifices in order to obtain it. Had their application for compensation for past injuries, and security against their future commission, been only met by requisitions, a compliance with which would involve their nation in ills of which war perhaps might not be the most considerable; had all attempts to remove unfavourable impressions failed, and all offers to make explanations been rejected; can it be believed, that other ministers (the first having been ordered out of the nation) would have waited six months uncredited, soliciting permission to display the upright principles on which their government had acted, and the amicable sentiments by which it was animated?

The undersigned are induced, Citizen Minister, to pray your attention to these plain truths, from a conviction that they manifest unequivocally the friendly temper of the federal government, and the extreme reluctance with which the hope of an accommodation with France would be relinquished.

The undersigned observe, with infinite regret, that the disposition manifested to treat with the minister who might be selected by this government, is not accompanied with any assurances of receding from those demands of money heretofore made the considerations on which alone a cessation of hostility on American commerce could be obtained, to which the undersigned have not the power to accede, with which the United States would find it extremely difficult to comply, and a compliance with which would violate that faith pledged for the observance of neutrality, and would involve them in a disastrous war with which they have no concern. Nor do you answer to the applications which have been made for compensation to the citizens of the United States for property which shall be proved to have been taken contrary to the law of nations and existing treaties, otherwise than that you are willing to discuss cases where there has been a departure from certain principles, which principles, in fact, involve almost every case.

You have signified, Citizen Minister, that the Executive Directory is disposed to treat with one of the envoys, and you hope that this overture will not be attended, on the part of the undersigned, with any serious difficulty. Every proposition of the Executive Directory is considered with the most minute and respectful attention.

The result of a deliberation on this point is, that no one of the undersigned is authorized to take upon himself a negotiation evidently entrusted by the tenour of their powers and instructions to the whole. nor are there any two of them who can propose to withdraw themselves from the task committed to them by their government, while there remains a possibility of performing it.

It is hoped that the prejudices said to have been conceived against the ministers of the United States will be dissipated by the truths they have stated.

If in this hope they shall be disappointed, and it should be the will of the Directory to order passports for the whole or any number of them, you will please to accompany such passports with letters of safe conduct, which will entirely protect from the cruizers of France, the vessels in which they may respectively sail, and give to their persons, suite, and property, that perfect security to which the laws and usages of nations entitle them.

They pray you, Citizen Minister, to receive the renewal of their assurances of profound respect and consideration.

(Signed) CHARLES COTESWORTH PINCKNEY.
JOHN MARSHALL.
E. GERRY.

(A true copy.)

HENRY M. RUTLEDGE, Secretary.

Message from the President to Congress.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives,

WHILE I congratulate you on the arrival of General Marshall, one of our late envoys extraordinary to the French republic, at a place of safety, where he is justly held in honour, I think it my duty to communicate to you a letter received by him from Mr. Gerry, the only one of the three who has not received his congé: this letter, together with another from the minister of foreign relations to him, of the third of April, and his answer of the fourth, will show the situation in which he remains, his intentions, and prospects.

I presume that, before this time, he has received fresh instructions (a copy of which accompanies this message) to consent to no loans; and therefore the negotiation may be considered at an end.

I will never send another minister to France, without assurances that he will be received, respected, and honoured, as the representative of a great, free, powerful, and independent nation.

United States, June 21st, 1798.

JOHN ADAMS.

My dear Sir,

Paris, 16th April 1798.

THIS I expect you will receive by my colleague General Marshall, who carries with him the last letter of Mr. Talleyrand to the American envoys, and their answer. On the day when we sent the answer, I received a letter from the minister, a copy of which, and my answer, is enclosed. I have not sent these to the secretary of state, because I have not time to prepare a letter to accompany them. Indeed I expected my passport with my colleagues; but am informed the Directory will not consent to my leaving France: and to bring on an immediate rupture, by adopting this measure contrary to their wishes, would be, in my mind, unwarrantable. The object of Mr. Talleyrand, you will perceive, was to *resume* our reciprocal communications, and again to discuss the subject of a loan. I thought it best, in my answer, not merely to object to this, but to every measure that could have a tendency to draw me into a negotiation. I accepted of this mission, my dear Sir, to support your administration, and have brought myself into a predicament * which you must assist

* I allude to my painful residence here as a political cipher.

me to extricate myself from, by appointing some others to supply the places of myself and colleagues, if a farther progress in this business should be found practicable. I have only a moment to add my best respects to your lady, and my assurances of the most sincere and respectful attachment,

My dear Sir,

Of yours sincerely,

E. GERRY.

The President of the United States.

Paris, the 14th Germinal, 6th Year of the French Republic, one and indivisible (3d April 1798).

The Minister of Foreign Relations to Mr. Gerry, Envoy Extraordinary of the United States of America to the French Republic.

I SUPPOSE, Sir, that Messrs. Pinckney and Marshall have thought it useful and proper, in consequence of the intimations given in the end of my note of the 28th Ventose last, and the obstacle which their known opinions have interposed to the desired reconciliation, to quit the territory of the republic. On this supposition, I have the honour to point out to you the 5th or the 7th of this decade, to resume our reciprocal communications upon the interests of the French republic and the United States of America.

Receive, I pray you, the assurances of my perfect consideration.

CH. MAU. TALLEYRAND.

Paris, 4th April 1798 (Germinal 15, An 6).

I HAD the honour, Citizen Minister, of receiving your letter of the 14th Germinal (the 3d inst.), and Mr. Deutremont, who delivered it, informed me that it was intended to be shown to Gen. Pinckney and Gen. Marshall.

Whilst my colleagues and myself, to whom the government of the United States have entrusted the affairs of the embassy, had a joint agency therein, I have carefully imparted to them all the propositions which you have requested, and the relative conferences; and to yourself our decisions thereon; regretting, at the same time, the unfortunate and embarrassing circumstances which imposed on me this disagreeable task. But as, by the tenour of your letter, it is now expected that they will quit the territory of the French republic, it will be impossible for me to be the medium of, or to take any measures which will be painful to my colleagues,

colleagues, or not to afford them all the assistance in my power ; and it would be, moreover, inconsistent with the line of conduct which you well know, Citizen Minister, I have uniformly observed, for removing the unfavourable impressions which existed on the part of this government against them : indeed, in our last letter there is a conditional application for passports, which, as it appears to me, supercedes the necessity of a hint to them on this subject ; and General Marshall is waiting impatiently for an answer to that part of it which respects a letter of safe conduct for the vessel in which he and his suite may take passage for the United States, to determine whether he shall embark from France or Great Britain ; but the unfortunate situation of General Pinckney with respect to the critical state of his daughter's health, renders it utterly impossible for him to depart under existing circumstances.

You have proposed, Citizen Minister, the 5th or 7th of this decade for me to resume (*reprendre*) our reciprocal communications upon the interests of the French republic and of the United States. The reciprocal communications which we have had were such only as I have alluded to in the beginning of this letter, unless your proposition accompanied with an injunction of secrecy for me to treat separately, is considered in this light. To resume this subject will be unavailing, because the measure, for the reasons which I then urged, is utterly impracticable. I can only then confer informally and unaccredited on any subject respecting our mission, and communicate to the government of the United States the result of such conferences, being, in my individual capacity, unauthorized to give them an official stamp. Nevertheless, every measure in my power, and in conformity with the duty I owe my country, shall be zealously pursued, to restore harmony and a cordial friendship between the two republics.

I had the honour of calling on you last evening, for the purpose of making this communication verbally, but as you were absent, to prevent misconceptions, I have thought it best to reduce it to writing.

Accept, I pray you, Citizen Minister, the assurances of my perfect esteem and respect.

E. GERRY.

*To the Minister of Foreign Affairs of
the French Republic.*

To Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry, Esquires, Envoys Extraordinary and Ministers Plenipotentiary from the United States of America to the French Republic.

Gentlemen,

ON the 4th instant came to hand your first dispatches since you arrived at Paris; these were your numbers 1, 4, and 5; and on the 6th instant your numbers 2 and 3 were received. On the 5th, your number 5, dated the 8th of January, and a translation of the message of January 4th from the Directory to the Council of Five Hundred, were laid before Congress. In this letter, you repeat, "that there exists no hope of your being officially received by that government, or that the objects of your mission will be in any way accomplished." This opinion is sanctioned by the whole tenour of your communications; and we trust that soon after the date of your number 5, you closed your mission, by demanding passports to leave the territories of the French republic.

An official copy of your letters of credence having been delivered to the minister for foreign affairs, and by him laid before the Directory, they were sufficiently informed of the great objects of your mission; and considering that you were an extraordinary delegation from an independent nation, you had a right to expect a prompt and respectful reception. The fair and honourable views of the American government, which dictated your appointment and your powers, entitled you to expect the early appointment of a commission by the French government, with equal powers to negotiate on all the matters in controversy between them. Had the French government been influenced by similar views, the objects of your mission would long since have been accomplished, to the advantage and peace of both nations. But instead of coming forward on such equal and proper ground, they have treated you, and, through you, your country, with extreme neglect.

Under these circumstances, the President presumes that you have long since quitted Paris and the French dominions; yet actuated as you were with an ardent desire to preserve peace, which you knew would be so grateful to your country; and having for this object manifested unexampled patience, and submitted to a series of mortifications; as you also proposed to make one more direct attempt, subsequent to the date of your last letter, to draw the French government to an open negotiation; there is a bare possibility that this last effort may have succeeded: the President therefore thinks it proper to direct—

1. That if you are in treaty with persons duly authorized by the

the Directory, on the subjects of your mission, then you are to remain and expedite the completion of the treaty, if it should not have been concluded. Before this letter gets to hand, you will have ascertained whether the negotiation is or is not conducted with candour on the part of the French government: and if you shall have discovered a clear design to procrastinate, you are to break off the negotiation, demand your passports, and return. For you will consider that *suspense* is ruinous to the essential interests of your country.

2. That if, on the receipt of this letter, you shall not have been received, or, whether received or not, if you shall not be in treaty with persons duly authorized by the Directory, with full and equal powers, you are to demand your passports, and return.

3. In no event is a treaty to be purchased with money, by loan, or otherwise. There can be no safety in a treaty so obtained. A loan to the republic would violate our neutrality; and a *douceur* to the men now in power might by their successors be urged as a reason for annulling the treaty, or as a precedent for farther and repeated demands.

It is proper to apprise you, that a motion has been made in the Senate, and will doubtless be repeated in the House of Representatives, to desire the President to lay before them your communications; and he will probably be under the necessity of doing it: only withholding the two names which you promised should in no event be made public.

I have the honour to be, with great respect,
Gentlemen,

Your obedient servant,

TIMOTHY PICKERING.

Department of State, Philadelphia,
March 23d, 1798.

Paris, 11 Prairial (May 30).

The Minister of Foreign Affairs to Mr. Gerry, Envoy of the
United States.

Sir,

[HEREWITH transmit you a London newspaper, of the 15th May last. You will find that it contains a very strange publication. I perceive, with the utmost surprise, that certain *intrigants* have availed themselves of the reserve which the envoys of the United States maintained, to make proposals, and to hold a language, the object of which evidently was to deceive you.

I request

I request you immediately to communicate to me the names for which the initials W. X. Y. and Z. stand; and likewise the name of the lady who is represented to have had conversations with Mr. Pinckney upon American affairs. If you have any reluctance to send me them in writing, be so good as communicate them confidentially to the bearer.

I firmly rely upon the zeal you must feel to put the government in a situation thoroughly to investigate these proceedings, by which I congratulate you in not having been duped, and which you cannot but wish to see cleared up.

Answer of Mr. Gerry.

Paris, May 31, 1798.

I HAVE received, Citizen Minister, your letter of the 11th Prairial (30th May), and the newspaper to which it alludes. The newspaper contains the whole of the irregular negotiations communicated by the envoys to their Government. The letter proves, that certain intriguers had made proposals to the envoys, and had carried on conversations with them, the object of which evidently was to impose upon them. You accordingly express a desire that I should impart to you their names.

If these persons have not been authorized to come forward, or, being invested with definite powers, have exceeded them, they have outraged the French government and the envoys. This point I am not competent to decide, as they did not produce, as far as I know, any authority, any document, of any kind whatever.

The publications in question are sufficient to prove how very delicate my situation is, with regard to the name of these individuals: and they contained circumstances which I hope will enable you to investigate the affair to the bottom, without insisting upon any other communications from me. At the same time, desirous to shield innocent persons from suspicions, by which they might have been placed in an awkward situation, I have no objection to declare, that three of the individuals mentioned are foreigners, and that the fourth acted only as messenger and interpreter.

You will perceive, Citizen Minister, the extreme repugnance of the envoys to such an irregular mode of negotiation, from their answer of the 30th October to certain propositions which had previously been made to them. Upon the 1st of November they determined to put an end to such intercourse, and they kept their resolution, notwithstanding the repeated attempts which were subsequently made; at the same time, however, they
thought

thought it their duty to communicate the whole to their government.

Accept, Citizen Minister, the assurance of my profound esteem.

The Minister of Foreign Affairs to Mr. Gerry, Envoy of the United States.

Sir,

Paris, 13 Prairial, Year 6 (June 1).

I RECEIVED your letter of yesterday; you inform me, first, that the newspaper I sent you contains the whole of the irregular negotiations communicated by the envoys to their government; secondly, that the persons in question, as far as you know, produced no authority, no document, of any kind whatever to accredit them; thirdly, that three of the individuals mentioned, that is to say, in the order in which I placed them, W. X. Y. are foreigners; and that the fourth, that is Z. acted only as a messenger and interpreter.

Although I am aware of the repugnance you must feel to name these individuals, it is my duty to entreat you to make that feeling give way to the importance of the object. Have the goodness then, 1st, Either to give me their names in writing, or communicate them confidentially to the bearer. 2dly, To name the lady to whom Mr. Pinckney alludes. 3dly, To tell me if any of the citizens, employed in my department, and authorized by me to see the envoys, said a single word which had the least analogy to the scandalous proposition (*proposition choquante*) made by X. and Y. with respect to the payment of any sum whatever, intended to be pocketted in a corrupt manner.

Answer of Mr. Gerry.

Citizen Minister, *Paris, 3d June 1798, 16th Prairial, Year 6.*

I HAVE received your letter of the 13th Prairial, in which, after having quoted part of mine of the 31st of May, you press me immediately to give way to the importance of the object; and 1st, To give you in writing, or to communicate confidentially to the bearer, the names of the persons for whom the letters W. X. Y. Z. stand. 2dly, To name the lady alluded to by Mr. Pinckney. 3dly, To declare whether any of the citizens belonging to your office, and authorized by you to see the envoys, ever said a word which had the least analogy to the scandalous proposition made by X. and Y. respecting the payment of any sum whatever, to be pocketted in a corrupt manner. With regard to the persons understood by the letters X. Y. Z. I shall send you their names, authenticated by my hand and seal, if you assure me

that they shall not be published as coming from me ; although this measure does not appear to me necessary, in order to discover the whole of them, and as Z. informs me, that he has voluntarily avowed himself. But W. never having said a word to me respecting X. or any part of our communications, I take it for granted, that the manifest impropriety of which I should be guilty in doing what you desire upon a hearsay, will be a sufficient excuse for omitting his name. It is not in my power to give you the name of any lady, for no lady has had any political communication with me since my arrival in Paris. With regard to the citizens employed in your department, and authorized by you, in your official communications, I cannot recollect a word uttered by any one of them which had the least analogy to the propositions made by X. and Y. in their irregular negotiations, with respect to the payment of money to be pocketed in a corrupt manner. I beg you to accept, Citizen Minister, the assurances of my perfect esteem and respect.

The Minister of Foreign Affairs to Mr. Gerry, Envoy of the United States.

Sir,

Paris, 16th Prairial (June 3).

I HAVE just received your letter of yesterday.—You may send me, in perfect confidence, the names to which you allude under your hand and seal. I give you the assurance, that they shall not be published as coming from you.

Accept, &c.

Note.—The names were accordingly transmitted to the minister, by whom they were immediately recorded.

To the Minister of Foreign Affairs.

Paris, 13th Prairial (May 31).

MR. GERRY has communicated to me the letter which you yesterday wrote him, in which you expressly desire him to acquaint you with the names of the persons understood by the letters W. X. Y. Z. referred to in the correspondence of the American envoys, printed in a public paper of the United States of America, dated 12th April.

My delicacy could not but be severely hurt to see myself, under the appellation of Z. performing a part in the company of certain *intrigants*, whose object, doubtless, was to derive advantage from the credulity of the American envoys, and to make them their dupes. Finding myself implicated in this affair, and desirous to remove the uneasiness I felt, respecting the disagreeable impressions, and the consequences, which the publication of
your

your letter to Mr. Gerry may have occasioned, I thought it my duty to see you without delay, and to entreat you, Citizen Minister, to have the goodness to give me your declaration in writing, that in the interviews I had with these gentlemen I followed up the communication which you employed me to transmit to them in the manner which I now proceed to explain.

In the beginning of last Brumaire, having gone to pay my respects to the minister of foreign affairs, and the conversation having turned upon the United States of America, he expressed to me his surprise that no Americans, and particularly the new envoys, ever came to his house; that this was not the way to open the negotiation, for the success of which they had more reason than us to be concerned; that he would receive them individually with great pleasure, and particularly Mr. Gerry, whom he had known at Boston. Knowing the friendship which I maintained with Mr. Gerry, he desired me to communicate to them what he had said. I accordingly waited upon Mr. Gerry, who, having sent for his colleagues, imparted to them the conversation which I had had with the Citizen Minister. Messrs. Pinckney and Marshall, from motives of etiquette, refused to wait upon the minister; but as the same reasons did not apply to Mr. Gerry, it was agreed that we should go next day to the minister's house, and that I should accompany them. At this period Mr. Gerry could not express himself in French. Next day we accordingly went; but the minister not being at home, Mr. Gerry requested that a day should be named for the visit, and it was fixed for a few days afterwards. We went to the place of meeting, and after the usual compliments, Mr. Gerry having expressed to the minister his wish to see harmony re-established between the republics, the minister replied, that the Directory had come to the determination not to treat with them till they had made reparation for some articles in the speech of the President at the opening of the Congress, and given an explanation of some others; that he could only put off for a few days making an official communication to them of this determination; that till then if they had any propositions to make which could be agreeable to the Directory, he would present them with the utmost alacrity; that considering the circumstance and the services of a similar kind which France had performed on a similar occasion to the United States, the best way would be for them to offer a loan to France either by taking Batavian inscriptions for the sum of fifteen or sixteen millions of florins, or in any other manner that might be approved. Mr. Gerry, after replying in a polite though evasive manner, on the first article, added on the subject of the loan, that their powers did not extend so far, but that he would talk over the matter with his colleagues. It is to be observed, that, as the minister spoke nothing but French, I repeated in English to Mr. Gerry what he said; and that although

certain that he very well understood the answers of Mr. Gerry, I repeated them to him in French. We took our leave of the minister, who then received a courier, and he desired me at parting to repeat to Mr. Gerry and his colleagues what he had said to us. Accordingly I repeated to Messrs. Pinckney and Marshall, in presence of Mr. Gerry, the conversation we had had with the minister.

A few days after, Mr. Gerry requested me again to accompany him on a visit to the minister, and having renewed his expressions of the extreme desire he entertained to see the most perfect union re-established between the two nations, he recurred to the insufficiency of their power, and proposed in his own name and that of his colleagues, that one of them should immediately set out for America with the conditions which the French government might propose. The minister answered, that it would then require six months to have an answer, and that it was of the utmost importance to come to a speedy resolution; that he was extremely desirous to have frequent communications with them individually, and amicably. This appearing to him to be the best means to arrive at a speedy understanding, he lamented on this account that he had yet had no communication with them.

Such, Citizen Minister, as far as my memory can recollect, are the details of the two conversations at which I was present. I shall only add, that no person wishes more anxiously than I do to see the negotiation brought to a successful conclusion.

Health and respect.

HAUTEVAL.

Senate of the United States, July 18, 1798.

Gentlemen of the Senate,

BELEIVING that the letter received this morning from General Washington, will give high satisfaction to the Senate, I transmit them a copy of it, and congratulate them and the public on this great event, the General's acceptance of his appointment, as Lieutenant-general and Commander in Chief of the Army.

United States, July 17, 1798.

JOHN ADAMS.

Dear Sir,

Mount Vernon, July 13, 1798.

I HAD the honour, on the evening of the 11th instant, to receive from the hand of the Secretary of War, your favour of the 7th, announcing that you had, with the advice and consent of the Senate, appointed me "Lieutenant-general and Commander

in Chief of all the armies raised, or to be raised, for the service of the United States."

I cannot express how greatly affected I am at this new proof of public confidence, and the highly flattering manner in which you have been pleased to make the communication; at the same time, I must not conceal from you my earnest wish, that the choice had fallen upon a man less declined in years, and better qualified to encounter the usual vicissitudes of war.

You know, Sir, what calculation I have made relative to the probable course of events, on my retiring from office, and the determination I had consoled myself with, of closing the remnant of my days in my present peaceful abode; you will therefore be at no loss to conceive and appreciate the sensations I must have experienced, to bring my mind to any conclusion that would pledge me, at so late a period of life, to leave scenes I sincerely love, to enter upon the boundless field of public action, incessant trouble, and high responsibility.

It was not possible for me to remain ignorant of, or indifferent to, recent transactions. The conduct of the Directory of France towards our country; their insidious hostility to its government; their various practices to withdraw the affections of the people from it; the evident tendency of their acts, and those of their agents, to countenance and invigorate opposition; their disregard of solemn treaties and the laws of nations; their war upon our defenceless commerce; their treatment of our ministers of peace; and their demands amounting to tribute; could not fail to excite in me corresponding sentiments with those my countrymen have so generally expressed in their affectionate addresses to you. Believe me, Sir, no one can more cordially approve of the wise and prudent measures of your administration. They ought to inspire universal confidence, and will, no doubt, combined with the state of things, call from Congress such laws and means, as will enable you to meet the full force and extent of the crisis.

Satisfied, therefore, that you have sincerely wished and endeavoured to avert war, and exhausted, to the last drop, the cup of reconciliation, we can with pure hearts appeal to Heaven for the justice of our cause; and may confidently trust the final result to that kind Providence who has heretofore, and so often, signally favoured the people of these United States.

Thinking in this manner, and feeling how incumbent it is upon every person, of every description, to contribute at all times to his country's welfare, and especially in a moment like the present, when every thing we hold dear and sacred is so seriously threatened; I have finally determined to accept the commission of Commander in Chief of the armies of the United States, with the reserve only, that I shall not be called into the field until the
army

army is in a situation to require my presence, or it becomes indispensable by the urgency of circumstances.

In making this reservation, I beg it to be understood, that I do not mean to withhold any assistance to arrange and organize the army, which you may think I can afford. I take the liberty also to mention, that I must decline having my acceptance considered as drawing after it any immediate charges upon the public; or that I can receive any emoluments annexed to the appointment, before entering into a situation to incur expense.

The Secretary of War being anxious to return to the seat of government, I have detained him no longer than was necessary to a full communication upon the several points he had in charge.

With very great respect and consideration,

I have the honour to be, dear Sir,

Your most obedient, humble servant,

G. WASHINGTON.

John Adams,
President of the United States.

Buonaparte to the Pacha of Egypt.

On board l'Orient, 12 Messidor (June 30).

THE Executive Directory of the French republic have frequently applied to the Sublime Porte to demand the punishment of the lieys of Egypt, who oppressed with their vexations the merchants of France.

But the Sublime Porte declared, that the Beys, an avaricious and fickle race, refused to listen to the principles of justice, and not only that the Porte did not authorize these insults, but withdrew their protection from the persons by whom they were committed.

The French republic has resolved to send a powerful army, to put an end to the exactions of the Beys of Egypt, in the same manner as it has been several times compelled, during the present century, to take these measures against the Beys of Tunis and Algiers. You, who ought to be the master of the Beys, and yet are kept at Cairo, without power or authority, you ought to regard my arrival with pleasure. You are, doubtless, already apprised that I come not to attempt any thing against the Alcoran or the Sultan. You know that the French nation is the only ally which the Sultan has in Europe. Come then and meet me, and curse along with me the impious race of the Beys.

(Signed)

BUONAPARTE.

Buonaparte,

Buonaparte, Commander in Chief, to the Commander of the Caravan.

On board l'Orient, 13 Messidor (July 1).

THE Beys have oppressed our merchants with vexation ; I am come to demand reparation. To-morrow I shall be in Alexandria. You ought to feel no uneasiness ; you belong to our grand friend, the Sultan ; conduct yourself accordingly. But if you commit the least hostility against the French army, I shall treat you as an enemy ; and for this you must be accountable, as it is far from my heart and from my intentions.

(Signed) BUONAPARTE.

Buonaparte, General in Chief, to the People of Egypt.

FOR a long time the Beys who govern Egypt have insulted the French nation, and oppressed the merchants with exactions.

For a long time this heap of slaves, purchased in the Caucasus and Georgia, have tyrannized over the fairest part of the world.

But God, upon whom all depends, has directed that their empire should finish.

Inhabitants of Egypt, when the Beys tell you I come to destroy your religion, believe them not. Answer them, that I come to rescue the rights of the poor from the hands of their tyrants ; and that the French respect, more than the Mamelucks, God, his Prophet, and the Koran.

Tell them that all men are equal in the eyes of God. Understanding, ingenuity, and science alone, make a difference between them ; and what wisdom, what talents, what virtues distinguish the Mamelucks, that they should have exclusively all that renders life sweet and pleasant ?

Is there a beautiful woman ? She belongs to the Mamelucks. Is there a handsome slave, a fine horse, a fine house ? They belong to the Mamelucks.

Is Egypt their farm ? Let them show the lease which God has given them. But God is just and merciful to all people. All the Egyptians are entitled to the possession of all places. The wisest, most enlightened, and most virtuous will govern, and the people will be happy. You had once great cities, large canals, much trade : who has destroyed them but the avarice, injustice, and tyranny of the Mamelucks ?

Cadis, Cheiks, Imans, Tcherbadjies, tell the people that we are the friends of true Mussulmen. Did not we destroy the Pope, who saw that it was necessary to make war against the Mussulmen ? Did we not destroy the Knights of Malta, because those foolish men thought that God wished war to be carried on against the Mussulmen ? Have not we been at all times the friends of the

Grand Seignior, (may God accomplish his wishes!) and the foe of his foes? The Mamelucks, on the contrary, are not they ever revolting against the authority of the Grand Seignior, whom they still refuse to acknowledge?

Thrice happy those who are with us! they shall prosper in their fortune and rank—happy those who are neuter! they will have time to learn, to know us, and will be with us. But miserable, thrice miserable those who shall arm for the Mamelucks, and fight against us—there shall be no hope for them, they shall perish!

Art. I. All places which shall be three leagues distant from the route of the French army, shall send one of their principal inhabitants to the General to declare that they submit, and will hoist the French flag, which is blue, white, and red.

II. Every village which shall arm against the French army shall be burned to the ground.

III. Every village which shall submit to the French shall hoist the French flag, and that of the Sublime Port, their ally.

IV. The Cheiks shall seal up the houses and effects of the Mamelucks, and take care that not the smallest article shall be lost.

V. The Cheiks, Cadis, and Imans, shall continue to exercise their respective functions. Each inhabitant shall remain in his house, and prayers shall continue as usual: every one shall return thanks to God for the destruction of the Mamelucks. Glory to the Sultan, glory to the French army his friend! Curses to the Mamelucks, and happiness to the people of Egypt!

(Signed) BUONAPARTE.

Orders of Buonaparte, General in Chief.

*Head Quarters on board l'Orient, 3d Messidor
(21st June), 6th Year.*

ART. I. Every individual of the army who shall pillage or steal shall be shot.

II. Every individual of the army who shall impose contributions upon towns, villages, or individuals, or shall commit extortions, of whatever kind they may be, shall be shot.

III. When any individuals of a division shall have committed any disorders in a country, the whole division shall be responsible. If the guilty are known, the General in Chief shall order them to be shot; if they are unknown, the General in Chief shall endeavour to discover them; and if they remain undiscovered, he shall retain, on account of the division, the sum necessary to indemnify the inhabitants for the loss they may have sustained.

IV. No

IV. No individual of the army is authorized to make requisitions, nor raise contributions, unless furnished with instructions from the Commissary in Chief, in pursuance of an order of the General in Chief.

In case of urgency, as it often happens in war, if the General in Chief and the Commissary in Chief should chance to be at a distance from a division, the General of Division may authorize the Commissary at War to make the requisitions of urgency.

V. The General of Division shall immediately send to the General in Chief a copy of the authority which he shall have given; and the Commissary at War shall immediately send to the Commissary in Chief a copy of the objects he requires.

VI. Nothing but necessaries for the soldiers, hospitals, transports, and artillery, shall be put in requisition.

VII. When once the requisitions are made, the objects required shall be put into the hands of the agents of the different administrations, who shall give receipts for them, and receive others from those to whom they shall distribute them, and shall be accountable for every thing. Thus in no case can officers or soldiers receive directly the objects required.

VIII. All money, gold, and silver, proceeding from requisitions, contributions, or otherwise, shall within twelve hours be deposited in the chest of the Paymaster of division; and in case he shall be at a distance, it shall be deposited in the chest of the Quartermaster of the corps.

IX. In those places where there shall be a commandant, no requisition shall be made without the Commissary at War first acquainting the commandant of the place by whose order it is the requisition is made. The commandant of the place shall immediately inform the Etat Major-general thereof.

X. Those who act contrary to the 5th, 6th, 7th, 8th, 9th, and 10th articles, shall be cashiered, and condemned to two years imprisonment.

XI. The General in Chief orders the General Chief of the Etat Major, Generals of Division, and Commissaries in Chief, to use their utmost endeavours to execute the present order; his intention being, that the funds of the army shall not be applied to the advantage of a few individuals, but to the advantage of all.

The General in Chief,

(Signed)

BUONAPARTE.

Declaration of the Musti and principal Cheiks of the City of Alexandria, in the Name of the Inhabitants.

GLORY to God, to whom all glory is due, and peace to the holy Prophet Mahomet, his family, and the companions of his divine mission.

The following agreement has been concluded between us, the chief men of the city of Alexandria, whose names are hereunto subjoined, and the General in Chief of the French army encamped in this city.

The undersigned Chiefs shall continue to observe the law and sacred institutions. They shall determine all difference according to the purest justice, and carefully keep at a distance from the crooked path of iniquity. The Cadi, to whose care the tribunal of justice is to be confided, shall be a man of the purest morals and the most irreproachable conduct ; but he shall not pronounce any sentence without first consulting the chiefs of the law, and his final judgment shall be regulated by their decision. The subscribing Cheiks shall study the means of making righteousness flourish, and direct all their efforts to that object, as if animated with the same spirit. They shall take no resolution but what is adopted with one accord. They shall zealously labour for the good of the country, the happiness of the people, and the destruction of the children of vice and iniquity. They further promise never to betray or attempt to ensnare the French army, to act contrary to its interests, nor enter into any conspiracy that may be formed against it.

To all these promises they have bound themselves by the most solemn oath, which they renew by this act in the sincerest and most religious manner.

The General in Chief of the French army promises on his part, that no one of the soldiers shall molest the inhabitants of Alexandria by vexatious proceedings, rapine, or menaces ; and those who shall commit such excesses shall be punished with the utmost rigor.

The General in Chief has also most solemnly promised, that he shall never attempt to compel any of the inhabitants to change their religion, nor to make any innovation in their religious usages ; but, on the contrary, assures them, that his wish is, that they shall continue to profess their religion, and that he will continue to maintain their tranquillity and property by all the means in his power, as long as they shall abstain from any attempt against his person, or the army which he commands.

The present convention was prepared and signed on the morning of Wednesday the 20th of the moon Muharem, 1213th year of

of the Hegira, corresponding to the 17th Messidor, 6th year of the French republic, one and indivisible.

The signatures of the Mufti and Cheiks are as follows:

The poor SEULEIMAN, cained Mufti of Maliki.

The poor IBRAHIM EL BOURGI, Chief of the Sect Hamite.

The poor MUHAMED EL MESSIRA.

The poor AHMED, &c.

Translated by me, Secretary-interpreter to the General in Chief, VENTURE.

*Head Quarters at Alexandria, 15th
Messidor, 6th Year.*

Buonaparte, General in Chief, commands :

1. THAT all the Turkish sailors who were slaves in Malta, whether natives of Syria, the isles of the Archipelago, or subjects of the Bey of Tripoli, shall be instantly set at liberty.

2. The Admiral shall disembark them to-morrow at Alexandria, where the Etat-major shall furnish them with passports for their respective places of residence, and with proclamations in the Arabic language.

(Signed) BUONAPARTE,

*Head Quarters at Alexandria, 17th
Messidor, 6th Year.*

Buonaparte, General in Chief, commands :

1. THAT the names of all the French soldiers killed in the taking of Alexandria, shall be engraved on Pompey's Pillar.

2. They shall be interred at the foot of the Pillar. Citizens Cortes and Dutertre will present a plan to me for the execution of the present order.

3. This shall be inserted in the general orders.

4. The Etat-major shall transmit to the above commission a list of the names of those who have been slain on the taking of Alexandria.

(Signed) BUONAPARTE.

*Buonaparte, Commander in Chief, to the Cheiks and Notables of
Cairo.*

*Head Quarters at Giza, 4th Thermidor
(July 20), 6th Year.*

YOU will see, by the annexed proclamation, by what sentiments I am animated. Yesterday the Mamelucks were, for the

most part, killed or taken prisoners, and I am now in pursuit of the few that remain. Send hither the boats which are on your banks of the river, and send also a deputation to make known to me your submission. Cause bread, meat, straw, and barley to be provided for my army, and be perfectly easy, for no one has a greater desire than I to contribute to your happiness.

(Signed) BUONAPARTE.

Buonaparte, Commander in Chief, to the People of Cairo.

Head Quarters at Giza, 4th Thermidor, 6th Year.

PEOPLE of Cairo, I am satisfied with your conduct. You have done right not to take any part against me; I am come to destroy the race of the Mamelucks, and to protect the trade and the natives of the country. Let all those who are under any fear be composed; and let those who have quitted their houses return to them. Let prayers be offered up to-day as usual, for I wish, that they may be always continued. Entertain no fear for your families, your houses, your property, and, above all, the religion of your Prophet, whom I love. As it is absolutely necessary that some persons should be immediately charged with the administration of the police, in order that tranquillity may not be interrupted, there shall be a Divan composed of seven persons, who shall assemble at the mosque of Ver; and there shall always be two with the commandant of the place, and four shall be occupied in maintaining public tranquillity, and in watching over the police.

(Signed) BUONAPARTE,

Buonaparte, Commander in Chief, to the Pacha of Cairo.

*Head Quarters at Cairo, 2d Fructidor
(August 19), 6th Year.*

THE intention of the French republic in taking possession of Egypt, is to drive out the Mamelucks, who were both rebels to the Porte, and declared enemies to the French government. At present, when master of it by the signal victory which its army has gained, its intention is to preserve to the Pacha of the Grand Seignior his revenues and appointment. I beg then you will assure the Porte that it will suffer no kind of loss, and I will take care it shall continue to receive the tribute heretofore paid to it.

(Signed) BUONAPARTE.

Scutari, July 15.

We Ibrahim Benghelli, Pacha and Vizier of Albania for the
Sublime Porte.

To Citizen Bruyere, Consul General, *Chargé d'Affaires* of the
French Republic at Ragusa.

Citizen,

I CANNOT express the joy which I feel on the happy news now transmitted to me. I regard this complaisance on your part as a clear proof of the friendship and affection of the great nation towards us, its friends and allies. The taking of Malta, in forming an epoch in the festivals of France, will engrave in indelible characters in the hearts of true Mussulmen the most lively sentiments of gratitude. I rejoice that the illustrious conductor of so difficult an enterprise is the very same Buonaparte, the hero of Italy, of whose friendship I am the more proud, because his conquests have astonished the age.

I am anxious for an opportunity of showing my friendship for the great nation. It will always be my wish to render as much service as possible to France. I hope that you will give me accurate information respecting the operations of the French armies. Such advices will always afford me much pleasure, especially every thing relating to my friend Buonaparte.

(Signed) IBRAHIM BENGHELLI.

Memorial delivered by the Porte to all the Foreign Ministers.

THE Porte, as all Europe knows, has long continued at peace with France, and on terms of the strictest amity and good understanding, which good understanding it has done every thing in its power to maintain. With the utmost surprise, therefore, has it seen the Turkish territories abruptly, and in a most extraordinary manner, attacked by the French arms. A man of the name of Buonaparte, giving himself out to be a French general, has made war on the Turkish province of Egypt. It is impossible for the Porte to believe that such a proceeding, so contrary to the rights of all nations, can ever be countenanced, much less commanded, by the French Executive Directory. A considerable force has, however, been sent to Egypt, to stop the progress of the invaders. Some of the emissaries of Buonaparte have pretended to persuade the people of Egypt, that they have been sent by Mahomet to give them perfect liberty and happiness, and render their religion the sovereign religion on earth; but the people have answered, that Mahomet authorizes no injustice, and that they can place no faith in such promises from those who have denied their God, and renounced their own prophet.

Constantinople, Sept. 2.

Manifesto

Manifesto of the Sublime Porte, communicated to our esteemed Friend the Minister Plenipotentiary of the Court of Great Britain, at Constantinople, the 11th September 1798.

TRANSLATION.

IT is notorious that the peace and good harmony which, since time immemorial, have existed between the Sublime Porte and the court of France, have never been interrupted by enmity and misunderstanding, but that, on the contrary, until this period, the Sublime Porte has made it her uniform and constant study, scrupulously to maintain the treaties, to fulfil the duties of amity with care, and upon every occasion to give proofs of her sincerity and friendship.

At the time when the revolution first broke out in France six years ago, when most of the powers in Europe confederated against that country, the Sublime Porte, although a witness to the improper proceedings of those who held the reins of government by usurpation, chose rather, in observance of her ancient amity with the French nation, to remain neutral: and though she had been several times invited by the allied courts to join with them, and to break with France; although the troubles of that country had become more and more violent at that particular period when an army had reached near Paris; whilst soon after the fortresses of Valenciennes, Condé, and Quesnoy, the keys of France on the northern side, were taken by the Austrian arms; Toulon, the only arsenal of the French in the Mediterranean, had fallen in the hands of the English, with the ships of war which were in it; and by an increased party of royalists in their provinces, the situation of the government had become more critical, and perplexity and distress prevailed on every side; yet the Sublime Porte, notwithstanding that it depended only upon herself to join with the other powers, nevertheless, giving way to her known principles of justice, did no ways consent to deviate from the line of a neutral conduct.

On the contrary, considering that if, under the circumstances of a strong famine, by which France, blocked up by sea and land, was afflicted, the Sublime Porte had also broken off her connexion, their distressed situation would have been such as to throw the inhabitants into total desolation and despair; she abstained from that measure; and she hereby asks, whether it be not a fact, that the liberality which she has shown to them from time to time, has brought complaints against her from other powers?

The extensive advantages which the French have reaped from the Sublime Porte's remaining neutral during the course of the war, become clear and evident by a moment's glance at the events of the war, and the public transactions during that period. Whilst, therefore, in consideration of the uniform acts of condescension

scension thus observed towards them by the Sublime Porte, they, on their side, ought also to have been steady in preserving peace; yet those among them who found the means of assuming to themselves the reins of government by favour of the revolution, began to devise various pretences, and under an illusive idea of liberty—a liberty so called in word, but which in reality knows no other laws but the subversion of every established government (after the example of France), the abolishment of all religions, the destruction of every country, the plunder of property, and the dissolution of all human society—to occupy themselves in nothing but in misleading and imposing upon the ignorant amongst the people, pretending to reduce mankind to the state of the brute creation; and this to favour their own private interests, and render the government permanent in their own hands.

Actuated by such principles, they made it their maxim to stir up and corrupt, indiscriminately, the subjects of every power, whether distant or near, either in peace or at war, and to excite them to revolt against their natural sovereigns and government.

Whilst on one hand their minister at Constantinople, pursuant to that system of duplicity and deceit which is their custom every where, made professions of friendship for the Ottoman empire, endeavouring to make the Sublime Porte the dupe of their insidious projects, and to forward their object of exciting her against other friendly powers; the commanders and generals of their army in Italy, upon the other hand, were engaged in the heinous attempt of perverting the subjects of his Majesty the Grand Seignior, by sending agents (persons notorious for their intriguing practices) into Anatolia, Morea, and the islands of the Archipelago, and by spreading manifestoes of the most insidious tenour, among which the one addressed by Buonaparte to the people of Macrio, with several others distributed by the same, are sufficiently known to the public.

Upon the Sublime Porte's complaining to the Directory of this conduct of their commanders and generals, their answer was, that all proceedings on the part of their officers, contrary to friendship, were not with the consent of the Directory, and the same should be prevented, and their officers warned against it; the wish of the French government being to strengthen more and more the ancient friendship subsisting with the Sublime Porte.

In consequence of this answer, delivered officially on their part, it was expected that the said generals would have left off their seditious pursuits. But nevertheless no change appearing in their conduct, and their perseverance in such insidious practices being greater than ever, it became obvious that the answers of the Directory were only seditious and deceitful; that the intriguing attempts of their agents could not but be dictated by the instructions

tions which were given them, and consequently that any further complaint would be of no avail whatever.

Notwithstanding these transactions, however, the Sublime Porte, in the hopes of the Directory altering its system of conduct, and laying aside the senseless pursuit of wishing to overrule the universe; in expectation of seeing things in France, from the harassed situation of that country, at length take a different turn by the people refusing to bear any longer those intolerable and disastrous which have been brought upon them from the personal views of a few upstart individuals since the commencement of the revolution, and with the view of preventing secret enmity from producing an open rupture, she did not alter her conduct but preferred keeping silence.

In the beginning of the war with the other powers, the French government had declared, that their intention was not to acquire new territory, but, on the contrary, to restore every such conquest as might have been made by their arms during the course of the war. Contrary to which, they not only have kept possession of vast extensive provinces, snatched by them from the belligerent powers; but not content with this, profiting of the example which had prevailed among the allied courts through the intrigues, have put off the mask entirely, and developing their true views, without reason or justice, have fallen upon several free independent republics and states who had held themselves no less like the Sublime Porte; invading their territories when least provided with the means of defence, and subjecting them to the same by open force and hostility.

Thus, no one being left to control them, they tore the veil of all decorum at once, and unmindful of the obligations of friendship and to convince the world that friendship and enmity are the same thing in their eyes, contrary to the rights of nations, and dissolution of the ties subsisting between the two courts, they carried in a manner altogether unprecedented, like a set of pirates, made a sudden invasion in Egypt, the most precious and fertile provinces of the Ottoman Porte, of which they took forcible possession at a time when they had experienced nothing from this but demonstrations of friendship.

Upon the first surmise of the French project to invade the empire, Ruffin, their chargé d'affaires at this residence, was invited to a conference, where he was questioned officially on this business: he first declared he had no intelligence with respect to it, but he gave it as a speculation of his own, that such an enterprise ever proved true, it probably must be the revenge of the Beys, and to annoy and attack the English settlements in the East Indies.

In answer to this it was circumstantially stated to him, that the smallest attempt on the part of the French upon Cairo, on which

might be founded, would be taken as a declaration of thereby the friendship subsisting between the two courts most ancient times, would, both in a legal and political converted into enmity; that the Ottoman empire would the loss of a handful of sand of the Egyptian territory; whole Ottoman sect would set itself in motion for the defence of those blessed lands; and that if the chastisement of the Egypt was necessary, it behoved the Sublime Porte to in them as her dependents; that the interference of the this business was inconsistent with the rights of nations; court of Great Britain, being the dearest friend of the empire, the Sublime Porte would never consent to the French troops through her territory to act against theirs; that, in short, should even their expedition to Egypt other object but this, it would be equally construed declaration of war, of all which he was charged to earliest communication to the Directory in this very

hes, bearing instructions to the same effect, were at the : written to Aali Efendi, the Sublime Porte's ambassador, who was moreover directed to demand officially an n of the matter upon the spot.

the communications sent by Ruffin to the Directory, spatches transmitted by the Sublime Porte to her ambassador named, a letter of an old date was received by the said xpressing that Buonaparte's expedition to Egypt was that the object was to secure some commercial advantage to the Beys to an account, and to hurt Great Britain an ambassador had been appointed to prefer several is favourable to the interests of the Ottoman Porte, and re affair in question; with this further ridiculous hint, the Porte to declare war for this against the republic, s would lay themselves open to an attack on the part of or: all this the said chargé d'affaires delivered officially, o presented a copy of that letter.

he other hand, in the answer received meanwhile from an ambassador above mentioned, it was stated, that in r to his instructions, he had had an interview with Talleyord, the minister of external relations, in which he had his dispatches, explained their purport, and demanded categorical answer: that the said minister (forgetting, supposed, the tenour of the letter which had been written some time before) positively disavowed the expedition ypt, and said that Buonaparte's commission had no ct but the conquest of Malta; that the abolition of the e being a measure conducive to the benefit of all the ie Sublime Porte ought to feel even obliged by it; that
 VII.

the Directory had nothing more at heart than to maintain the peace existing with the Porte since time immemorial, and more and more to strengthen the same, thus barefacedly exhibiting a farce of the most artful duplicity : the wide contradiction between the above two communications being visibly a fresh artifice by which to mislead the Ottoman Porte with her eyes open, and to gain time until intelligence could be procured respecting the affair of Egypt, the result of which had not then come to their knowledge. Must not this most extraordinary event be taken as a palpable demonstration, that the directors of the French government, to second their own ambition and arrogance, have actually lost all recollection of those laws observed and maintained in every regular government, and that no faith whatever is to be placed in their words and professions ?

From the tenour of their arbitrary proceedings and despotic conduct, as too well witnessed from first to last, it is clear and evident that their project is no other but to banish every orderly institution from the face of the world ; to overset human society, and by an alternate play of secret intrigue or open hostility, as best suits their end, to derange the constitution of every established independent state, by creating (as they have done in Italy) a number of small republics, of which the French is to be the parent mother, and thus to sway and to conduct every thing after their own will every where.

Now Egypt being the portal of the two venerable cities (Mecca and Medina), and the present operations in that quarter being of a nature affecting all the Mohamedan sect at large, the Sublime Porte, consistently with her express declarations to the above French chargé d'affaires, and through her ambassador to the Directory at Paris, feels compelled by every law to resist the sudden and unprovoked aggressions and hostilities committed by the French as above, and with a full confidence in the assistance of the omnipotent God, to set about repelling and destroying the enemy by sea and land. Thus to wage war against France is become a precept of religion incumbent upon all Mussulmen.

In consequence whereof the afore-named chargé d'affaires, together with the officers of that mission, have been sent to the Seven Towers, to be detained there as hostages until such time as Adli Efendi before named, and those of his retinue, be arrived from Paris : and the consuls, merchants, and French properties in Constantinople, and in other parts of the Ottoman empire, shall also be kept in deposit and as a security until the merchants, dependents of the Sublime Porte, with their shipping and properties, as also the public ships, with their equipages, detained in the province of Egypt (prisoners of war excepted), be set at liberty.

To repel the perfidy of these usurpers, who have raised the standard of rebellion and trouble in France, is a measure in which not the safety and tranquillity of the Sublime Porte alone, but also that of all the powers in Europe, is concerned. Wherefore the best hopes are entertained of the cordial co-operation of all friendly courts, as well as of their disposition to fulfil, by every means in their power, their duties of friendship and of assistance in the present cause.

1 *Rebuilakhir*, 1213 (11 September 1798).

Imperial Decree, promulgated at the Porte, on Saturday, 1st Sept.

TRANSLATION.

To you, Kaïmakam Pasha, these are addressed.

EVER since the Supreme Vizir, Izzed Mehemmed Pasha, came to that office, instructions were constantly given him to attend to the defence of the Ottoman dominions, and never to be off his guard against the plots of enemies. He however, from selfish motives, has attended to nothing but his own interest; so that in the dark himself, with respect to the evil designs of those brutish* infidels the French, from not procuring proper intelligence, he did not apprise the inhabitants of Egypt thereof in good time.

When the unhappy tidings from thence came to our Imperial ear, a full month after that insufferable event had come to pass, such were our grief and concern, that we take God to witness, it drew tears from our eyes, and deprived us of sleep and rest.

We have therefore immediately deposed him from the office of Grand Vizir, and have appointed in his place Youssouff Pasha, governor of Erzerum, until whose arrival at our sublime gate we appoint and constitute you, Mustafa Bey, to be Kaïmakam.

Now it being incumbent upon all true believers to combat those faithless brutes the French, and it being become a positive duty for our Imperial person to deliver the blessed territories from their accursed hands, and to revenge the insult which they have offered to Mussulmans, no delay whatever is to take place for the arrival of the new Vizir; but the most vigorous measures must be pursued to attack them by sea and land.

Wherefore by a deliberation with the illustrious lawyers, ministers, and chieftains, our subjects, you must (with a full confidence in God and his Prophet) fix upon the effectual means of freeing the province of Egypt from the presence of such wretches. You will acquaint all the true believers in the respective quarters,

* Original, Swine.

that we are at war with the French; and, turning night into day, will apply your utmost efforts to take revenge of them.

You will adopt the most vigilant conduct towards defending the other Mahomedan provinces, and our Imperial frontiers, from the plots and malice of the enemy, by the due reinforcement of every port and place with troops and military stores.

You will likewise direct your zealous attention towards the due supply of daily provisions to the inhabitants of this our Imperial residence; and will watch over the affairs of all persons in general, until the Supreme Vizir do arrive.

We shall observe your exertions; and may the omnipotent God ordain his divine favour to attend our undertakings, and render us successful in the vindication of our cause!

Address of the Legislative Body to the French Nation, agreed to by the two Councils, on the 6th Oct. 1798.

AT the moment when the legislative body, penetrated with the importance of its august duties, gives to the generous people whom it represents, the useful institution of military conscription, circumstances of great importance demand a speedy application of its provisions, and require the immediate benefit of its effects. By a sudden operation of that law two hundred thousand citizens are called upon to share the honour of defending their country. It is not that they abandon the hope, or renounce the desire, of a speedy peace. They never have ceased to sigh for that moment, that happy and glorious moment, when our common mother, seated upon the trophies of her children, might lay aside the sword, and devote her whole attention to the improvement of agriculture, to the peaceable pursuit of science, to the brilliant inventions of national industry and pacific arts. Too much care, however, cannot be employed to dissipate the clouds which threaten the political horizon of Europe. The French republic has made all the sacrifices for peace which her humanity dictated, and which her glory allowed. Wanting nothing but the will to conquer and to subdue, the republic had the courage to arrest its course in the midst of its triumphs. If, however, certain crowned prize-fighters, little corrected by their numberless defeats, still are desirous anew to open the lists, then, by the solemn voice of the two great powers of the state, it will again give the signal of victory; and you, Frenchmen, you will answer with an unanimous cry, "We are ready! what nation calls for its deliverance? what king is tired of reigning?"

The indulgent republic has left on their thrones kings who were guilty of aggression against it; but it has not left them the right of violating treaties, and continuing with impunity war in

the midst of peace. Numerous and powerful motives will easily re-animate against them your magnanimous resentment. And who among you has forgotten the calamities which France has been compelled to bear during a long and terrible war? It was not enough that an impious league was formed to annihilate the infant republic; it was not enough that the French territory was stained with sacrilegious standards. Our intestine divisions, the crimes of rival factions, the civil war kindled in the western departments, fanaticism inflaming the credulous populace, ruin and devastation overspreading our fertile fields; are not all these calamities the work of haughty England, and some obedient kings who declared themselves at once the agents and the pensionaries of the English government? Have we not seen their judges open up in our courts the arraignment of liberty? Have we not seen their representatives within the sacred walls where the majesty of the French people resides? And, ye unfortunate old men, ye plaintive mothers, if solitude reigns in your cottages; if, unbending under your rustic roofs, you call in vain the sons who should have soothed your last moments, and shut your dying eyes; those sons, those heroes, escaped from so many battles, have fallen under the daggers of hired assassins, and their unhonoured corpses have dyed with blood our indignant rivers. Not even a grave have they found in this immense republic, founded, cemented, aggrandised by themselves. Royalism cut them off in the midst of a people who had abolished royalty. Their last sighs, their last looks, implored the absent republic; and if the interest of all Europe now solicits peace, their ashes and your solitary tears still cry for vengeance.

The arms of the republic have overcome all obstacles, and prostrated all its enemies. At the beginning of the war the Stadtholderate had connected itself with the destinies of England; the Roman theocracy launched against us the exhausted thunders of the Vatican; the Helvetic confederacy protected all the conspirators banished from the French territory. Five years have scarcely elapsed, and the Stadtholderate is overthrown, the Roman theocracy is humbled with the dust, and the Helvetic oligarchy annihilated. In the place of tyrants and adversaries, we see republicans and friends. Upon an element which sometimes baffles the most sublime courage, fortune may for a moment have forsaken the defenders of their country! Glory has every where pursued them! The ocean has buried some of our heroes, but not their never-dying renown. England, affrighted at her triumph, awaits with melancholy dismay the inevitable blow which is to stab her to the heart, and to revenge the two worlds!! Wee to the inconsiderate monarchs whom her corrupting gold shall seduce into new wars!

Let not the governments which yet are willing to tempt the dangers

dangers of war, hope to weaken our efforts by sowing divisions among us. Long and cruel experience has taught us to despise those homicidal denominations which create and perpetuate factions. Vainly shall they attempt to oppose to each other the power which enacts and the power which executes the laws. They shall march closely knit, indissolubly united.

The spirit by which they are equally animated is a sincere and constant desire of peace. But it is of a peace glorious for France and her allies ; it is at the same time the invincible resolution of repelling by force every insult offered to the dignity of the republic. Fathers of families, bless your children, whose services our common mother requires ; inspire them with your praises : the esteem of age is flattering to courage, and their glory will be reflected upon your grey hairs. Mothers, wives, retain not their generous steps ; animate their heroism by your commands ; hurry them on to glory ; let them hasten to reap their share of that which is the inheritance of every Frenchman ! And you, ye young defenders of your country, fly ! your brothers in arms await you. You will find in the armies the example of living heroes, and the memory of the heroes who have fallen in the cause of liberty. Hoche and Marceau, on the banks of the Rhine ; Laharpe and Stengel, on the banks of the Henden ; repose amidst the glory of their exploits. On their tombs you will shed the tears of gratitude and of religious respect ; and if the hour of battle arrives, you will swear on their ashes to die victorious.

EQUALITY, LIBERTY, FRATERNITY.

THE Executive Directory of the Batavian republic hereby give notice, that the representative body, as established by the constitution, having taken into their consideration, that the various laws and proclamations heretofore enacted and published against the importation of British goods, have not been sufficiently clear and efficacious to cause that interruption to the trade of England which the hostile and insolent conduct of that country towards this republic at all times has merited ; and considering that it is absolutely necessary, in order to disappoint the avarice and humble the pride of Britain, as also for the encouragement of the manufactures of the Batavian republic, to enact more precise and rigorous restrictions, and such as shall admit of no evasion on the part of the merchants and dealers, nor be liable to be misunderstood by the public officers, from a doubt what commodities and wares are to be understood by the term English goods :

The representative body having likewise considered the dangerous

ous and injurious consequences of the trade carried on by neutral vessels, directly from England to the ports of this republic ; and lastly, having taken into consideration that the interest of commerce in general requires that the nature and extent of this restriction should be fully known, decrees as follows :

That from the 31st of October of the present year, all laws, proclamations, ordinances, and decrees, of the States General, the National Assembly, the Constituent Assembly, or the late unconstitutional representative body, relative to the importation of British commodities, manufactures, and productions, shall be repealed and cease ; and that henceforth it shall be decreed, as it hereby is decreed :

That after the 31st of the present month, October, no British manufactures, commodities, or productions, by whatever name they may be called, shall be imported into the Batavian republic, either by land or water, either directly from Great Britain, or by any circuitous route, under the penalty that such British manufactures, commodities, or productions, shall be declared forfeited and confiscated to the use of the state.

That all such persons as directly or indirectly shall have been concerned in the importation of such goods, or favoured the same, or to whom they shall have been consigned, shall not only be punished by the loss of the goods, but if it shall appear that they had knowledge of them, and after the time limited by this proclamation did not give notice to the custom-house, or the officers appointed for that purpose, they shall be considered as enemies to their country, and banished for ever from the Batavian territory.

And in order to remove all doubts, either of the dealers or officers, with respect to what are to be considered as British manufactures or productions, it is hereby declared, that the following articles shall be so deemed, whatever their origin may be, or from whatever place they may have been consigned or shipped :

1. All sorts of what are called Manchester manufactures.
2. All cloths and stuffs of wool cotton, cotton wool, linen, or thread.
3. All mixed stuffs made of any of the above-mentioned articles.
4. All cottons, linens, muslins, dimities, and nankeens, whether wholly or in part printed or painted.
5. All woollen, cotton, or worsted waistcoats, breeches, and pantaloons, or stuff for these in the piece.
6. All English, Scotch, and Irish stockings.
7. All millinery and manufactures of cotton, wool, and leather, whether plain, mixed, or coloured.
8. All sorts of buttons.
9. All kinds of plated ware.

10. All

10. All sorts of hardware, or manufactures of iron, steel, tin, copper, and pewter, whether plain, lackered, or painted.

11. All sorts of cutlery ware.

12. All kinds of cabinet-maker's work.

13. Watches, gold and silver clasps, watch-chains, rings, fangs, and all kinds of jewellery.

14. All sorts of leather, tanned, curried, or prepared in any manner; boot-legs, men or women's shoe-leather, whether wholly or partly finished.

15. All sorts of carriages, whether wholly or partly finished; new or second-hand saddles, and all kinds of saddlery.

16. All sorts of silk waistcoats and ribands, whether wholly or partly silk, cotton, or thread.

17. All sorts of men's and women's hats, whether of felt, straw, or any other material; silk handkerchiefs and shawls known by the name of English.

18. All sorts of spun wool and hair, peruke-makers' work, floor-cloths, carpets, whether complete, or in pieces or rolls, from which they may be finished.

19. All sorts of prepared leather, washed leather, skins for making of gloves, breeches, or waistcoats, whether painted, printed, or plain; as also all articles employed in the manufacture of these.

20. All sorts of English glass, except that which is used for the making of optical instruments and clock-work.

21. All sorts of English taffeties, paper-hangings, and furniture.

22. All sorts of refined sugars, whether in loaves or powder, or loose, which have been refined in Europe.

23. All sorts of porcelain, earthen and pottery ware.

And it is likewise decreed, that after the 31st of October of the present year 1798, no ship coming from British ports, and having taken in her lading there, shall enter any of the ports of this republic, under pain of confiscation of the said lading to the use of the Batavian nation.

This penalty of confiscation, however, shall not be enforced against neutral ships laden with such goods, till after the 15th of November next ensuing.

The Executive Directory is hereby charged with the publication of this decree, in the usual manner; and the agent of finances with its strict enforcement.

(Signed)

F. ERMERINS.

S. DASSEVAAL, Loco-Sec.

*Hague, Oct. 23, 1798,
the 4th year of Batavian liberty.*

Proceedings

Proceedings of the Congress at Rastadt, continued from Page 337.

Substance of the Note from the Prussian Minister to the Deputation of the Empire, on the 14th June.

I. **THE** Rhine is to serve for a boundary from a point to be taken near the Wezel, as far as the spot where it separates into different branches, and continues its course through Holland, under the name of the Waal.

II. With respect to the Wezel in particular, it will be proper for a boundary to fix on the canal concluded in 1784, across the island of Buderich.

III. The Rhine toll is to be continued for the present ; and as to the right of levying customs, the propositions made on this head cannot be acceded to ; and at all events, the regulation of these objects ought to be deferred on account of there being matters to be settled by a treaty of commerce after the conclusion of peace.

Substance of the Answer of the Deputation of the Empire to the Note of the French Ministers of the 4th Messidor (June 22).

THE propositions contained in the last note of the French ministers are to be considered as appertaining only to the demand of the French government respecting the forts of Kehl and Hunninguen. The deputation subscribes to the article concerning the immediate nobles : but it demands that the sequestration should be immediately taken off, and that they should be restored to the possession of their properties, without waiting for the exchange of the ratifications of the treaties of peace. It insists also that the principalities which possess mediate estates, should not be comprised in the confiscations, and that their properties should be restored to them forthwith. With respect to the property of the clergy, as the subject is as yet untouched, any explanation upon it is reserved for some future opportunity.

9th July.

Answer of the French Ministers to the Note of the Deputation of the Empire of the 9th July.

THE undersigned ministers of the French republic for the negotiation with the German Empire, have received a note from the deputies of the Empire, bearing date the 21st Messidor last (9th July), which has been communicated to them by M. de Metternich, minister plenipotentiary from his Majesty the Emperor. It appears proper, in the outset, to answer some objections which the deputies have made in their note of the 29th Floreal, and

which they have now repeated, viz. that the last demands made in the name of the French republic, are in opposition to the preceding; that the note of the 14th Floreal discloses pretensions at once exaggerated and unexpected, which not only destroy the limit agreed upon between the two states, but also menace the safety and independence of Germany. The deputies of the Empire ought to recollect, that the ministers plenipotentiary of the French republic have manifested, from the opening of the negotiation, an intention for the common advantage of regulating the manner in which it should proceed: that of consequence they have uniformly endeavoured to avoid in their communications, whether verbal or written, confounding objects, by keeping them distinct from each other, and that they have constantly held that the different points should be debated in their natural order. In the first rank, unquestionably, is that of the cession of the countries situated on the left bank of the Rhine. Next comes the mode of indemnity by secularizations; but questions once resolved upon do not bind subsequent ones. It never occurred to the ministers plenipotentiary of the French republic to betray the least symptom of renunciation. The deputies themselves foresaw so well further demands might be made, that they more than once expressed a wish that the French legation should explain itself upon this subject. The propositions made this day by the undersigned, are not so much the simple consequence of the progress of ideas, as the successive developement of the regular plan which they announced. Considered in themselves, they are not contrary to what has been previously proposed and agreed on. With respect to a state having a recognised limit, it does not follow that it may not provide means for the security of that limit, without being on that account charged with having views of aggrandizement. And here it must be observed, that France having been attacked, and her armies having triumphed, she ought, on the one side, to carry her measures of precaution much further in future; and that, on the other side, she ought in justice to presume to a much greater compensation for her immense sacrifices than the necessity of her defence requires. Yet she has been known to moderate her legitimate pretensions. Every impartial person must see, in the conditions of peace which she offers to Europe, nothing but what is extremely reasonable, or which does not belong to the nature of all treaties, which always import a certain inequality of advantages, according to the relative position of the contracting powers. The intention of the French government could not be, that the independence of the German Empire should be threatened. Its wish should be rather, that it might acquire more strength and solidity. The deputies will perceive, if they consider it maturely, that the two points possessed on the right bank of the Rhine by the French, very far from giving them umbrage, ought, on the contrary, to

be regarded as a bond of confidence, as one of the pledges of future tranquillity between the two nations. Passing now to the note of the 21st Messidor, the undersigned observe, in the first place that the deputies of the Empire do not appear to have well understood or sufficiently weighed the contents of that which they sent the 4th of the same month; and that in adopting a system almost absolutely negative, they may give reason to doubt the sincerity of their pacific intentions. The undersigned will never entertain such doubt; but the deputies of the Empire must also, on their side, reject the idea that the moderation of the republic, and the facilities it adduces to the conclusion of peace, can be extended beyond their just bounds. A second observation may be made, namely, that the note of the ministers plenipotentiary of the French republic of the 4th Messidor, had not only for its object to abandon or soften certain articles contained in that of the 14th Floreal, but that they there insist upon other articles of this same note, which were maintained, and not submitted to modification. Yet the answer of the deputies of the Empire does not contain on this head any declaration, either precise or calculated to lead finally to any result whatever. It remains then for the undersigned to relieve the negotiation from this state of languor and incertitude; that is, to combine under one point of view the propositions enclosed in their notes of the 14th Floreal and the 3d Messidor, and to declare positively what must be granted or refused.

In the first place, the ministers plenipotentiary of French republic persist in the whole of their demands relative to the navigation of the Rhine, and see with pleasure they have come near their propositions, which are evidently dictated by the desire of common prosperity. But they cannot observe without surprise that the deputies hesitate to acknowledge, that this object being for the direct interest of the whole Empire, the stipulations thereon should necessarily have a place in the present treaty. They are astonished, particularly, that the deputies should claim the provisional maintenance of the rights of toll until the conclusion of a treaty of commerce; which, seeing the difficulties in the way of a treaty of this kind with the Empire in general, would amount to the preservation, pure and simple, of rights the most oppressive to commerce. The undersigned demand with instant earnestness the abolition of the tolls, and that all the articles relating to the navigation of the Rhine, shall be inserted in the treaty of peace. To give a new proof of the principles which guide them, and of the conciliatory spirit by which they are animated, they will consent that this navigation shall be absolutely free for those who reside on the banks of the river; that the staple rights should be abolished, as also the corporations of bargemen. The deputies will surely serve that this is, on the part of the French republic, a concession, which will merit a recompence. **They hope also**

deputies will effectually demand from the German diet the enfranchisement of the interior rivers of Germany, or at least of those which empty themselves into the Rhine.

Secondly, The French republic recedes from its demand of all the islands of the Rhine. Of the two means proposed by the deputies for dividing the river, they admit the *Thalweg*. Thus the isles which will be found on the right of the course of the navigation, shall remain with the Empire. Those which shall be found on the left shall belong to the republic, as also the island of Saint Pierre, situated below Mentz, and which is formally excepted from the part allotted to the Empire. The undersigned make also this express reservation, that the islands beyond the course of the Great Rhine, which may be dependent on France, shall be preserved to her. It shall be further agreed, that in case the course of the river shall change, the islands shall remain under the sovereignty to which they shall be attached by the treaty. In no case shall the neutrality of the navigation be questioned.

Thirdly, They have said in the note of the 14th Floreal, that Calliel, the Fort of Mars, and its territories, cannot be separated from Mentz, of which they have been always considered as constituting a part, and that they would be constantly threatened unless they were in the same hands. The existence of Ehrenbreitstein being incompatible with that of Coblenz, the safety of the republic demands its demolition. These are two points upon which there must be no discussion, and which do not admit of modification. With respect to Kehl, the undersigned should hope they had sufficiently yielded their former demands in the first article of their note of the 4th Messidor. To remove all difficulty, however, they will renounce all claim to the redoubts expressly received by said article.

Fourthly, The deputies oppose the demand of establishing commercial bridges at Huninguen, and between the two Brisgaus, upon the ground that establishments of this kind are always a point of contest, which ought to be avoided as much as possible between two states. We will not examine here, whether this opinion be well or ill founded; but it is an acknowledged and most important truth, that agriculture and commerce, those two grand sources of the riches of nations, require in all countries communications ready, easy, and numerous. Are not commercial interests the most precious, and perhaps the only true source of connexion between people and people?

The deputies object further, that the establishment of new bridges on the Rhine is not necessary for commerce. This second objection, which possesses little solidity, destroys in some manner the first. The very existence of the present bridges proves, that these means of connexion are useful without danger; what inconvenience then can follow from allowing two more, particularly

particularly when these new constructions are, if well adapted to local situation, desired equally by the inhabitants of both banks?

Fifthly, With regard to what concerns the immediate nobility, the undersigned persist in the 3d article of their note of the 4th Messidor. The representations which the deputies of the Empire have made on this subject, cannot be attended to, because they are contrary to the principles and laws of the French republic.

Sixthly, It is said in the note of the 14th Floreal, that, conformably to generally received principles, the debts which were liens on the properties ceded to France, should be transferred to those given in exchange: this disposition, from which the ecclesiastical electors are not excepted, is invariable.

Seventhly, The undersigned renew the demand of the renunciations detailed in the said note, and particularly that they stipulate for, in a future treaty, the abandonment of all rights whatever, claimed by the Empire on all the parts of the Italian territory, which may be able to recover themselves, and which now belong to republics established in that country. They demand also, that by a special clause there be inserted in this same treaty, to prevent all doubt and difficulty on the subject, a stipulation for the cession of Friethal, and the surrender to the French republic of all the rights which the German Empire might claim upon this territory.

Such are the propositions which the ministers plenipotentiary of the French republic offer to the deliberation of the deputies of the Empire, with further reference to their notes of the 14th Floreal, the 4th Messidor, and the preceding ones, respecting every thing not contrary to the present one, and therein not expressly revoked: they present them as the conditions of peace: they invite the deputies of the Empire to take them into their most serious consideration, and to put an end, by a clear and precise declaration upon each of the articles proposed, to all incertitude upon the further progress of the negotiation.

They have the honour to assure M. de Mœternich, minister plenipotentiary from his Majesty the Emperor, of their most distinguished consideration.

(Signed) BONNIER.

*Rastadt, 1st Thermidor,
in the 6th year.*

JEAN DEBRY.
ROBERJOT.

*Teneur of the Vote given by the Austrian Minister in the Sitting of the
Deputation of the Empire of the 3d August.*

AUSTRIA, animated by a sincere desire of obtaining peace to the Empire, has hitherto concurred with its whole power in whatever was likely to facilitate that object, and its votes have uniformly been founded on the principle of its duties towards the Empire in general. Fully confiding in the justice and equity of the
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the French republic, its representations towards her have been constantly of an amicable and conciliatory nature, calculated to obtain that which, in the judgment of Austria and the deputation of the Empire, was announced at the opening of the congress on the part of the French.

It will continue to preserve, with the utmost reserve and moderation, the same line of conduct, the same principle of negotiation and representation it has hitherto adopted, not doubting but it will produce the effect it ought.

Consequently Austria, in giving this vote, finds itself compelled to remark, that in the 25th and 28th sittings it did consent to the demand made on the part of France, that the limits of the Rhine should form the basis of peace ; that a sufficient quantity of territory should be ceded on the left bank, as should be necessary to draw a military line, determining the frontiers between Germany and France ; and that even the sacrifice of two-thirds of the left bank of the Rhine should not be an obstacle to effectuating such purpose.

Austria has likewise advised the Empire, through the medium of the deputation, to consent to this sacrifice, in order to put an end to this unhappy war.

It has left to France the determination of this line ; but in the 38th sitting, besides many other conditions, it has formally and particularly insisted upon this, that whatever is found on the right bank of the Rhine, be its denomination what it may, shall remain to the Empire.

As France herself has required frontiers, necessary, as she says, for the respective safety of the two states, Austria continues firm to this demand, as well as to the cession of the left bank of the Rhine, which shall commence below Bale, where the territories of the two states, that is to say, of Germany and France, begin to be contiguous, under the conditions declared, and principally with reference to what concerns the right bank of the Rhine.

But the majority of the deputation of the Empire in the same sitting, after having established many previous points and modifications, abandoned the left bank of the Rhine in the manner France had demanded it, to wit, as a secure frontier between Germany and France, of which this latter power was already in possession.

Austria preserved a passive conduct in this declaration of the deputation ; she did not accede to it ; and after the conclusum had been drawn up, she even formally and absolutely referred to the vote she had given ; consequently, by so doing she neither was consenting to, nor took any part in this decision. Such has been the situation in which Austria has stood at this moment, relative to the basis of peace agreed to by the Imperial plenipotentiary, as representative of the supreme head of the Empire.

In the mean time it is to be observed, that the cession on one side, as well as the other, must necessarily be conditional, and can never become a reciprocal engagement till the previous conditions have been fulfilled, or the parties shall have perfectly understood and agreed upon them. It is upon this supposition alone that the considerable cessions made by the deputation of the Empire can be admitted or determined.

When the deputation of the Empire demanded on the part of that power with whom they were in treaty, whether she would afterwards form new pretensions, such a demand was natural, and its object was to serve as a guide to their future deliberations and concessions. In no respect could it be deemed improper, or capable of an unfavourable construction. When a state is in possession of frontiers fixed and acknowledged, it may, with the greatest propriety, adopt measures for the safety and protection of those frontiers; but it cannot with justice form pretensions, which, in the opinion of the whole world, and the conviction even of those who make the demand, must evidently destroy the security of the frontiers opposite to them.

We ought to hope and expect from a powerful state, that it would weigh its strength in the same scale with sentiments of justice, and that it would not entirely lose sight of the latter: in fine, that it would not require of Germany absolutely to place itself not merely in a defenceless state, but to extend inquietude and affliction even to its bosom. We are the more justified in expecting such a line of conduct on the part of France, under the present circumstances, inasmuch as in the last note of the French legation, we find the pacific assurances, already made at different times, renewed.

It has been so often proved that the Empire was not the aggressor, that it would be useless to repeat it. We cannot therefore see, without the greatest concern, that excuses are sought for, to justify the hard and impossible conditions wished to be imposed on Germany. France acquires by the Rhine such frontiers on the side of Germany, that she would have no occasion to resort to any other measures of safety, whilst, if they extended to the opposite bank, they would entirely destroy the safety of Germany, if we compare this state with France; and it is the more unreasonable, as the demand of the limit of the Rhine had for its formal basis the security of both states.

The cessions made to France would also procure it such an indemnity as Germany affords no example of, and must excite the astonishment of posterity: and as from the expressions contained in the French note, the pretensions yet in dispute are not made with any view of aggrandizement, there ought, from the same motive of reciprocal security for which it was alleged they were urged, to be the less objection in desisting from them. Besides,
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if the limits of the Rhine are to be considered as a band of confidence, and a pledge for the future tranquillity of the two nations, as the last French note expressed, it is absolutely impossible, from the nature of the thing, that France should have possessions on its right bank. We are persuaded that the French legation is thoroughly convinced of this, because such a conviction is an innate sentiment that cannot be destroyed; and because, in all the declarations hitherto made by the French ministers, and given in abstract in the votes of Austria in the 44th sitting, it is formally and literally stated, that they demand the Rhine as a boundary, to preserve the tranquillity and security of the two states.

After these observations, Austria refers herself wholly, and in all points, to the vote given in the 49th sitting, and she proposes to renew with the French ministers plenipotentiary the same amicable representations and propositions made in that sitting; briefly appealing to the remarks just made on the last French note. We cannot renounce the hope that France, if the means to grant peace, will adopt sentiments of justice and moderation; the more so, as Germany has done all that it is possible for her to do; consequently she may and ought to hope to obtain a peace, which will at least procure a degree of tranquillity and safety conformable to circumstances, and will console her for the unexampled miseries experienced during this long war.

Although we entirely refer to the vote given in the 49th sitting, we think it our duty to make such observations upon the points contained in the last French note, as are necessary to show the grounds of the undermentioned vote.

1st. Relative to the free navigation and the tolls taken on the Rhine, we repeat, that we will accede without reserve to the decision of the deputation on this subject; for there is not, nor can there be any question respecting the other rivers that do not empty themselves into the Rhine, nor consequently of those that flow through the Austrian monarchy.

2d. Austria should insist upon the principle of the *Thalweg*, as it is the mode of division immemorially used with regard to rivers. France herself acknowledges it, and adheres to it; but there ought to be no exception to it; and in consequence of the late representations of the deputation, we are led to hope, from the justice of France, the strict acknowledgment of the *Thalweg*, without excepting the island of St. Pierre; and the more so, as, should France keep this isle, the reciprocal security established as the basis would otherwise be destroyed on the right bank of the Rhine.

3d. Cassel was before the war in a defenceless state. Every one knows that this place formed no part of the fortrefs of Mentz, or its works. If Cassel does not continue to belong to the right bank of the Rhine, what security is there for the countries of the
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Mein, whose environs unite with those of the Rhine; or what security is there even for all Germany?

As in the French note all the redoubts of Kehl are renounced, there is not a doubt but on this point every thing will remain as before the war.

Every state should provide for its own safety. The fortrefs of Ehrenbreitstein is the only bulwark remaining in Germany; and as France had not before the war strong places which entirely commanded the right bank of the Rhine, should this vast state be put in possession of them now, when the Empire is more and more enfeebled?

We ought consequently to demand, that energetic representations, on the subject of the three points above alluded to, should be repeated; and for this reason we cannot consent to the demolition of the fortrefs of Ehrenbreitstein. We make this formal observation, referring to the precise declarations already made on this subject.

4th. We have already explained ourselves, in the 44th and 45th sittings, relative to the bridges; and we persist in the same declaration. There are at present two bridges for the purposes of commerce, and new ones would become, in a military view, dangerous points of communication; for the passage of the river would thereby become more easy. Besides, we ought to consider how far the proprietors of land on its banks would consent to the establishment of such bridges, in cases where they might conceive them detrimental to their interest or their safety.

5th. The French legation, in their note of the 4th Messidor (June 22), in consequence of the interference of the deputation, appeared a little more reasonable with regard to the immediate noblesse, and its members on the left bank of the Rhine, not states of the Empire. But in its last note of the 1st Thermidor (July 9), it made no satisfactory answer to the new representations of the deputation, relative to the immediate noblesse (who are at the same time states of the Empire) preserving their possessions. We cannot however renounce the hope, that the French legation will also accede to this point, since this demand is founded on the same motive as the former: another consideration is, that the goods and possessions of the immediate equestrian order are frequently more or less considerable than those of the states of the empire. All these considerations should form the objects of new presentations.

6th. In the 44th sitting the subject was opened relative to the answer of debts. This point is essential to the future existence of Germany. We are, however, disposed to accede to whatever the deputation of the Empire shall judge proper to decree on this subject. We only mention it with regard to the general interest.

7th. Austria has, for a long time, and at a great expense, supported the Italian sieges; and it is only by the sacrifice of its states in this part (in the treaty of peace concluded at Campo Formio), that she has advanced and accelerated the opening of the negotiations for peace with the Empire. For this reason it ought to be left to the Empire to determine when and how this object should be treated. Austria not only will accede to this point, but will recommend it to the deputation, since it will contribute to the conclusion of a general peace.

Austria has already made a previous declaration, in the 49th sitting, touching the Austrian Frickthal. We add the following observations, reserving such further declarations as may be necessary.

The portion of country known by the denomination of the Frickthal is part of the Austrian country of Brisgau; it is situated between Zurzach and Bale; its frontiers on the right bank of the Rhine are the four forest towns; and on the left bank, Switzerland; it is thereby entirely separated from the French territory. Thus in the demand made by the French legation, for the Rhine to be the boundary between Germany and France, there could be no doubt with respect to the Frickthal, for its geographical position separates it on all sides from the French territory. It is therefore, without referring to this country, that the deputation of the Empire (without the consent of Austria) has acceded, subject to the previous conditions and modifications, to the demands of the French legation in adopting the boundary of the Rhine. The French legation, in their note of the 2d Ventose (February 20th), a period when the left bank of the Rhine was not ceded, said, that the basis of the negotiation, that is, the boundary of the Rhine, leaving the republic only what it possessed, would guarantee the future tranquillity of the two states.

This is a fresh proof that the French ministers, in demanding the cession of the boundary on the left bank of the Rhine, did not understand, nor could they have understood, all the countries which had been actually occupied by their troops during the war. As the Frickthal cannot in any point of view, or under any pretext, be comprised among these countries, Austria, confiding entirely in the justice of the deputation of the Empire, expects it will conduct itself relative to this subject, upon the principles just laid down, and which are founded in the nature of the thing; and that if it shall be convinced this portion of country belonging to the hereditary Austrian states, should be the subject of a negotiation, it ought not to be conducted by the deputation, but should be directly treated of between Austria and France.

We are not only sensible of the duties of the circle of Austria, but we have always fulfilled them with a patriotic zeal, and have constantly adopted a line of conduct, as members of the deputation

tion of the Empire, conformable to those duties. On the other hand, the relative situation of Austria with that of the Empire, the privileges and attributes of that house, are also known and determined. Austria knows how to defend her rights and hereditary property.

As to what concerns the ecclesiastical dependencies, of whom the French ministers made mention in their note of the 4th Messidor (22d June), and the subject referred to by the deputation in their last note, it would be better to repeat the demand, as the last French note contains nothing satisfactory on this point.

Conclusum of the Deputation of the Empire of the 7th of August, in Answer to the Note of the French Minister of the 1st Thermidor.

THE deputation of the Empire could not observe without satisfaction, in the note of the French plenipotentiaries of the 1st Thermidor, that further relaxations were acceded to respecting different points of the negotiation; it has also seen, with considerable pleasure, the solemn and reiterated declaration, that it was not the intention of the French government that the independence of the Empire should be threatened or exposed; that, on the contrary, it was their earnest desire that this independence should acquire more strength and solidity. These intentions, manifested on the part of the French government, joined to the formal and reiterated assurances of their serious disposition towards a speedy conclusion of peace, afforded still farther hopes, that the relations of amity between the two nations, in order to secure which the Germans have recently consented to the greatest sacrifices, might soon be happily re-established, notwithstanding the difference of opinion that still exists upon a variety of matters.

The French note of the 1st Thermidor begins with some preliminary observations relative to the mode of proceeding hitherto pursued. The deputation on their side think it necessary to make, in answer to it, a few counter-observations.

The French ministers seem to look upon the starting of new demands immediately following those that have been discussed, as the simple effect of the progression of ideas, and as the successive developement of their plan: they pretend that they have never renounced the idea of bringing forward fresh demands. The deputation of the Empire have uniformly been persuaded, on the contrary, that the question would be continually declined and evaded; that it would be impossible to take in and comprehend the whole; and that the negotiation could never arrive at a fixed point, if the proposed conditions of peace were continually to be followed up by new ones. It was merely in this view that the deputation, previous to their agreeing to any basis of pacification, requested in their note of the 10th of February of the present

year, that the French ministers would explain and make known to them, in a satisfactory and complete manner, the whole of the sacrifices which the French republic was disposed to require of the Empire at the conclusion of this unfortunate war; and when afterwards it was found necessary, in the note of the 11th of March, to accede to the first basis of peace proposed by France, that agreement was grounded upon previous conditions, which excluded all the ulterior demands which might be made upon the Empire; it was believed that these conditions would have checked every other sacrifice that could possibly be exacted from the Empire, in order to obtain a peace so earnestly wished for—(see the note of the 23d of March); and it is for this express purpose that these previous conditions have been formally received in the notes of the 4th and 21st of April, as it is again done in the present; the deputation could not therefore but feel surprised, on observing the new pretensions contained in the French note of the 14th of May. Guided, however, by their anxious desire to accelerate the conclusion of peace, they determined, in the notes of the 18th of May and the 9th of July, to agree to some of those demands. The French ministers, in their notes of the 4th Messidor and 1st Thermidor, have somewhat retracted respecting some other demands, or have endeavoured to modify them; and the points that still remain under discussion they have in part resumed, in seven articles in their last note. They shall be now answered article by article, and in a manner that shall afford the most unequivocal proof of the ardent desire felt by the deputation to procure for Germany a peace, which it so anxiously wishes for, however dear it may be obliged to purchase it.

1. The deputation has proposed to postpone the consideration of the objects relative to commerce and navigation, till the conclusion of a treaty of commerce, in order to be enabled thoroughly to investigate and discuss an affair of so much importance, and which involves so many considerations. At the same time, if the difficulties could be so easily removed, as, without retarding the pacification, to admit the arrangement to be made on this subject to be inserted in any treaty of peace, the deputation of the Empire are disposed to accede to it. They as readily subscribe to the desire manifested by the French ministers plenipotentiary with regard to the toll duties on the Rhine; and they consent to their abolition, as the republic, on its side, has consented to the suppression of those on the left bank of the Rhine, such as the warehouse duties, and the customs paid by watermen. At the same time, as the custom duties must form a certain compensation for the loss of considerable revenues derived from the tolls, and as their establishment will experience much difficulty, for the reasons mentioned in the former notes, it ought to be fixed as the condition,

condition, that the complete suppression of those tolls shall not take place for two years. In this interval, the principles and rules which shall be observed in the establishment of the customs, may be determined; and agreeably to the proposition made in the notes of the 18th of May and 19th of July, to secure entirely the free navigation of the Rhine from its mouth upwards, by means of a convention made with the Batavian republic.

2. The deputation of the Empire have consented that the principal navigable course of the Rhine, formerly called the *Thalweg*, as it has been fixed at various times by scientific persons with common consent, shall form the future boundary between Germany and France, from the place where, leaving the Dutchy of Cleves, it enters into Holland, under the name of the *Waal*. In the above Dutchy, the canal which divides the isle of Buderich into two parts, shall be considered as the *Thalweg*. With regard to the islands in the Rhine, the proposition that the islands situated to the right of the *Thalweg* shall remain or be ceded to the Empire; and those to the left shall be ceded to the French republic: this point is perfectly agreeable to the wishes of the deputation. They make no difficulty, therefore, to consent to the succeeding proposition, relative to the part of the Rhine which formerly constituted the boundary between Germany and France, viz. That the isles situated on the right of the *Thalweg*, which were previously in the undisputed possession of France, shall remain so in future, under condition of a similar concession in favour of the Empire, and the sovereigns of Germany, with regard to the isles situated to the left of the *Thalweg*, and which are now subject to Germany. They likewise agree to the new proposition of the French ministers, that the changes which may take place in the channel of the Rhine, shall not in future change the rights of sovereignty over the islands; that these shall remain henceforth in their present division, subject, as they stand, to France and Germany, although it should even happen, that, by a change of the bed of the river, their relative position with regard to the *Thalweg* might be changed. The private property of the isles, and the free enjoyment of its produce, shall of course belong to the present and future owners, without regard to the line of separation through the *Thalweg*. In addition to these points, the neutrality of the navigation shall be scrupulously observed.

3. The deputation of the Empire, in order to discharge every duty which the important obligations they have to fulfil require, and animated with the most sincere desire as speedily as possible to obtain peace for Germany, have resolved, notwithstanding the severe sacrifices they have already made, to accede to the afflicting proposition of the French plenipotentiaries—"That the fortrefs of Ehrenbreitstein shall be demolished after the conclusion of peace."—This consent, however, is given under the condition,

fine

sine qua non et resolution, that the French government, on its side, shall cause to be demolished all the fortified places on the right bank of the Rhine, and on the same side of the Thalweg, viz. Kehl, Cassel, the fort of Mars, and the ille of St. Pierre; that all these shall be given up to the Empire, and all claims to them, as well as to the other places on the same side, solemnly renounced. The deputation of the Empire, in adopting the resolution to give up in future a bulwark which has hitherto been so useful, think themselves entitled to demand (which is likewise consistent with existing conventions) that the blockade of Ehrenbreitstein be immediately raised, and that the measures taken to prevent the inhabitants of the Thal from receiving provisions be likewise discontinued.

4. With regard to the bridges established for the purposes of commerce, they persist to believe, as has been already observed in the notes of the 18th of May and 9th of July, that permanent bridges on a river which serves as a boundary between two nations, cannot be considered simply as relating to commerce, but also as points of contact connected with political and military operations. These motives have already prevented, in preceding treaties of peace, the establishment of bridges of the like kind. To this must be added, that the bridge of Huningue would be only at the distance of half a league from that of Bâle; that it might touch on the right bank the Swiss territories with the same facility as those of the German Empire, since a part of the ille des Cordonniers, as well as the *terra firma* situated behind that island, belongs to the canton of Bâle. With regard to the bridge between the two Brisacs, as this sort of bridge ought not, even in the opinion of the French ministers, to be established, but by the mutual consent of the inhabitants of the banks, it may be said, in opposition, that the inhabitants belonging to the House of Austria will not find this bridge either useful or necessary. It is hoped then that the French government will not insist farther on the establishment of these bridges.

5. As to what concerns the possessions of the nobility situated on the left bank, they cannot approve the distinction intended to be made between those held immediately by the nobility themselves, and those held by others. Hopes then are still entertained that in this respect, as well as to the sequestration of that property, and the loss sustained, the French government will consent to a farther discussion.

6. In the note of May 18th, transmitted to the French ministers, they have already given a detail of the different kinds of debts on the left bank of the Rhine, and alleged the most convincing motives, which oppose in every respect the transferring of all the debts of chambers and demesnes to property on the right bank. It appears that these important observations have not yet
 effected

acted in the French ministers the wished-for conviction; since their note of the 19th July they persist in transferring all debts, without making the least distinction between them, either in regard to their origin, their employment, or the time when contracted, nor in regard to the creditors, and the nature of the securities. The deputation are then obliged to refer again to their note of the 18th of May, and to the essential observations it contains; and to remark, besides, that this transfer of debts, considered not only under a political point of view, would be extremely burdensome, and almost impossible to be executed, but which cannot be reconciled in regard to the creditors, with the natural and civil rights of mankind. The creditor has only a right to demand payment of his debtor. It is rare in Germany that the son of the regent is bound for the debts of the state. It is commonly to particular countries that the creditor has a right to apply. They cannot then, without the consent of the interested party, transfer those debts to other countries, nor force the creditor to change the nature of his security, nor place him in the situation (even if another country should voluntarily consent to become his debtor) of being forced to sacrifice, in the case of competition, his previous security, and the rights of his class to other creditors, whose claims may even be more ancient. The rights of the creditor are his particular property, which the French ministers have promised to leave untouched; they are the rights of particular citizens, which the French government would certainly not wish to violate.

7. In the notes of the 3d of March and 18th of May, the deputation of the Empire have already made a general declaration, which they have promised all those renunciations which would necessarily result from the nature of the present cessions; they have, however, reserved a reciprocity in favour of the German Empire, on which the French plenipotentiaries have not yet given a farther explanation. As they actually demand a renunciation in favour of all the republics in alliance with France, and that in general, without naming the republic, or the objects in regard to which that renunciation shall be precisely made; in order that there may arise no doubt or difficulty in future, and on account of the importance of the affair, it will be necessary that they should furnish the deputation with a sufficient and clear explanation on these points, in order to enable them to return an answer on that subject. The deputation presume, that the said republics, on their part, will equally renounce all the rights and pretensions which they may have on the Empire, and promise, at the same time, that all the property, revenues, rights, possessions, &c. situated on their respective territories, belonging to all or each of the states of the German Empire, the immediate nobility, and their mediate or immediate dependents of the Empire, shall be equally

equally preserved to them ; and that they shall not, in any manner, be interrupted in the full enjoyment of them : these republics, these corporations and inhabitants, shall preserve, as is just, the property which they now have in the German Empire. In the 7th article, the French plenipotentiaries stipulate, as a clause on which there can arise no doubt, that the German Empire will renounce, in the approaching treaty of peace, all pretensions to Frickthal, belonging to the House of Austria. The deputation of the Empire must have necessarily found this proposal the more strange, as they declared that they would only cede, under certain conditions, to the French republic, those German possessions on the left bank of the Rhine which immediately touch the French territory, while Frickthal is separated from France by a part of Switzerland. The pretensions even of the French ministers have not till this moment been directed to that object. on the contrary, they say expressly, in their note of February 20, a period anterior to the cession of the left bank, that this first basis of the boundary of the Rhine does not give to the French republic but what it already possesses : *ce qu'elle enfin ne laissant à la république que ce qu'elle possède, garantit encore la tranquillité des états.* As the opinion of the deputation was not then nor could be, to comprehend in the cession of the said countries the Frickthal, which was not occupied by the French troops, it cannot now consent to this new demand. Finally, many of the propositions and demands made by the deputation, particularly in its notes of March 3 and 11, May 18, and July 9, have again been left without any answer, in the last note of the French ministers, of July 19. The deputation of the Empire, constantly convinced, that, without an explanation on the said points, the relations between the two nations cannot be brought to a complete determination, find themselves obliged earnestly and again to request, that the French ministers plenipotentiary will give a concise answer on all these points still in dispute *.

Definitive Note of the French Plenipotentiaries, in Answer to the last of the Deputation of the Empire.

THE undersigned ministers plenipotentiary of the French republic for negotiating a peace with the Empire, have received the last note of the deputation of the Empire, which was transmitted to them on the 23d Thermidor, the present month, by M. de Metternich, minister plenipotentiary of his Majesty the Emperor.

In doing justice to the intentions of the deputation of the Empire, the undersigned cannot dissemble the disagreeable impres-

* This conclusion was not approved by the Imperial minister, who transmitted it to the French minister, without annexing to it his sanction.

sion which the last note left in many respects on their minds. It neither answers their just expectations, nor the idea which they ought to form of the prudent foresight of the plenipotentiaries of the German Empire. They could, above all, with difficulty express, and will abstain from defining, the sentiment which they experienced in reading the passage of that paper, where they so strangely allude to the 3d article of their note of 1st Thermidor (July 20). Who could have thought, that, after an examination of more than twenty days, after so many sittings, employed, no doubt, in useful deliberation, they should have delayed declaring themselves, and should have been silent respecting one of the most essential and most precise articles of that note, and which must be considered as irrevocable?

It is at length time that this state of things, that these equivocal delays, should have an end. The French government desires peace; its conduct has sheltered its intentions from all doubts; but to attain that object, it has exhausted every thing that could be expected of its good intentions. The last propositions which the undersigned made in its name, are the conditions of that peace. There is then no longer room for discussion or delay. The deputation must decide. If they consult only themselves, if they yield to the purity of their intentions, the choice will be soon made. Let them reflect well, that, in any case, these delays and these refusals will not be advantageous to the Empire, and that the public voice in Germany will approve any determination which shall avert for ever the scourge of war.

It being impossible for the ministers plenipotentiary of the French republic not to insist on the whole of what is contained in their note of 1st Thermidor (July 19), those of 4th Messidor (June 22), and the preceding, they again demand of the deputation of the Empire a categorical and decisive answer on all the points therein treated of. They expect it.

They assure M. de Metternich, minister plenipotentiary of his Majesty the Emperor, of their most distinguished consideration.

BONNIER.

JEAN DEBRY.

*Rastadt, 26th Thermidor (Aug. 14),
6th year of the French republic.*

Minutes of a Conversation between Count Metternich, Minister Plenipotentiary of his Majesty the Emperor, and Citizens Jean Debry and Bonnier, Ministers Plenipotentiary of the French Republic at Rastadt, 24th Thermidor (August 11th), between Twelve and One o'Clock in the Forenoon.

COUNT Metternich having waited upon Citizen Bonnier, where Jean Debry was present, he told them, that the interview

view which he had the honour to request of them arose from the respect which he entertained for the French legation ; a sentiment which he should preserve with pleasure in all the communications he had with them. He added (referring to the note he had transmitted to them), he could not ratify the third point of the last note of the deputation of the Empire (that relating to the demolition of Ehrenbreitstein), because the object of it was of too great importance, and too intimately connected with the military department, to allow him to decide upon it immediately. At the same time he was averse to retard the communication of the other points, in order to prove his readiness to concur in accelerating peace.

Citizen Bonnier said, that the French legation had remarked with surprise the omission by the Imperial minister plenipotentiary of an article so essential as that of the 3d of the conclusion of the deputation of the Empire ; that the French legation had demanded a categorical answer to all the points of their note ; that they entertained the same desire with the French government to accelerate peace with the German Empire ; and that they themselves, the ministers plenipotentiary of the French republic, insisted that the deputation should seriously set about answering the propositions of the French government, and that the undersigned should explain himself in a precise manner with regard to the 3d article of the last conclusion.

Count Metternich confined himself to what he had already said on this subject, adding only, that he could not consider a paper as official till it was signed by him and transmitted to the French legation.

Citizen Bonnier replied, that they, the French plenipotentiaries, would send their answer immediately.

Count Metternich observed on this occasion, that the demand of the French government with regard to retaining the fort of Cassel opposite to Mentz, had the more surprised him, as it was contrary to the first basis of peace : that the French government had proposed the course of the Rhine as the boundary between empires desirous to avoid all points of contact with Germany, to prevent every cause of war in future, and to consolidate a good understanding between the two states : that it was in order to attain that object which the deputation of the Empire so ardently wished, that they had acquiesced in the said basis, on certain conditions to which the French legation had yet returned no answer : that by the demand of retaining the fort of Cassel, not only a territorial contact was established, but France would otherwise have a military point, at once offensive and defensive against the Germanic Empire, and that justice required that each should be master within itself : that the reasons which the French government had urged to prove the necessity of demolishing the entrench-

ments, and the Tête du Pont opposite Manheim, applied here with additional force, because it is notorious that Cassel has never been an integral part of Mentz, while the Tête du Pont of Manheim had always been a part of that place.

Citizen Bonnier replied, that the French legation insisted on its last proposition, and that the French government irrevocably demanded the demolition of the fort of Ehrenbreitstein.

Count Metternich availed himself of this opportunity to demonstrate to the French plenipotentiaries the little moderation and management which the French government and its agents had always displayed in their proceedings. He added, that the last proclamation of Citizen Rudler, with regard to the absent inhabitants on the left bank of the Rhine, was a new proof of this assertion, though Count Metternich flattered himself that such a thing as German emigrants would never be talked of.

In spite of the verbal assurances given by him (Citizen Bonnier) and his late colleague, Citizen Treilhard, the undersigned still believed that this proclamation left some doubts with regard to the observance of this principle; and that accordingly he had thought himself bound to communicate it to the deputation of the Empire, flattering himself at the same time, that this provision of Citizen Rudler was susceptible of a favourable interpretation; but that he had been particularly struck on perusal of the deliberation of the central administration of Mont Tonnere, relative to the same subject, which would oblige him to submit the matter to the minister plenipotentiary of the French republic, in order that it might be remedied.

Count Metternich thought likewise, that he could not pass over in silence the official intelligence of the augmentation of the French troops on the right bank of the Rhine; he communicated to the ministers plenipotentiary of the French republic the circular letter of the commandant of Mentz. The undersigned remarked, that this step was perfectly repugnant to the stipulations made at the time of the armistice, not to pass the lines traced out for the two armies; that the army of the Empire had scrupulously observed this engagement, and was still behind the banks of the Lech.

Citizen Jean Debry said, that all the public papers spoke of the news of war, and the preparations that were made; and that the movement of the French troops was a measure of precaution.

The undersigned replied, that the warlike dispositions alluded to, were unknown to him, and that the army of the Empire was in cantonments.

Citizen Jean Debry repeated the assurances that the French government really wished to conclude peace with the German Empire, and to consolidate it.

The undersigned withdrew, after referring to what he had advanced in the course of this conversation.

(Signed) The Count de METTERNICH.

Rastadt, 12th August.

IN consequence of orders from the court of Vienna to the Imperial minister to consent to no new concessions to the French, he suppressed the 3d article in the note of the deputation of the Empire of the 7th of August, relative to the demolition of Ehrenbreitstein, before it was delivered to the French ministers. According to the instructions to the Empire, the resolutions of the deputation are of no effect unless they are agreed to by the Austrian plenipotentiary.

16th August.

THE French plenipotentiaries demanded from the Count de Metternich, the Imperial minister, his declaration in writing upon his refusal to sanction the last conclusum of the 7th of August, seeing that his instructions would not allow him to do so before the return of a courier whom he had dispatched to the court of Vienna.

Rastadt, 3d Fructidor (16th August).

THE undersigned ministers plenipotentiary of the French republic, justly surprised that their note of the 26th Thermidor last has not as yet produced any known effect, and in their love for humanity, impressed with a lively sense of the imminent danger of this state of inactivity to which the said note has conducted, require the deputation of the Empire to explain itself instantly, categorically, and separately, upon all the points in dispute, announced in the notes of the 1st Thermidor, 4th Messidor, and others preceding. While they give this further proof of their formal wish and last persevering effort of the French republic for peace, they declare the deputation must remain responsible for the consequences in which further delays may involve it.

(Signed)

BONNIER.

JEAN DEBRY.

ROBERJOT.

Conclusum of the Deputation of the Empire of the 17th Aug. 1798.

THE deputation of the Empire have seen by the last overture which the Imperial commission made to the directorial minister, in his note of the 17th August, the contents of a conversation which took place on the 11th between the Imperial minister plenipoten-

nipotentiary and the French legation. As it results from it, that the French ministers continue to insist upon a formal reply to their note of the 26th Thermidor, and that they await that reply, the deputation of the Empire are of opinion that the following answer should be given to the said note :

The deputation of the Empire have been satisfied on finding in the last note of the French ministers plenipotentiary of the 26th Thermidor, new assurances of the constant dispositions of the government to accelerate peace, as well as their confidence in the equally pacific sentiments of the deputation. But they were at the same time disagreeably affected at seeing that a simple misunderstanding had given rise to the idea manifested in that note, that they could have passed over *sub silentio* in their reply, one of the most important articles of the note of the 1st Thermidor.

The deputation of the Empire, always convinced of the advantage resulting to negotiation by writing, when all the points are discussed at once, and not partially, have not failed to reply to the 3d article of the note of the 1st Thermidor, which is the principal point in question here, as well as to what is said in the 2d article, relative to the isle St. Pierre : and the deputation replied in the following manner on the 7th August.

[The 3d article of the conclusion of the 7th August, which we have already given, was here inserted.]

As the Imperial minister plenipotentiary reserved himself to make an immediate declaration relative to that decision upon the 3d article, the deputation of the Empire confine themselves solely at present to communicate this state of things, adding the assurance that they will continue in future to do all that shall be in their power to accelerate the negotiation.

The deputation of the Empire request the Imperial commission to transmit as soon as possible, by means of a note, as is customary, the reply to the French legation.

Rastadt, August 24.

THE Count Metternich, at the reiterated solicitations of the deputation of the Empire, transmitted on the 21st to the French ministers the conclusion of the 7th of August, in its original state, by restoring the article relative to the demolition of Ehrenbreitstein, but without giving it his sanction.

Answer of the French Ministers.

THE undersigned ministers plenipotentiary of the French republic, for carrying on the negotiation with the German Empire, have received the note of the deputation of the Empire, which was
transf-

transmitted to them on the 21st instant, by the minister plenipotentiary of his Majesty the Emperor.

It results from this paper, that the deputation of the Empire was actually occupied in deliberating on the 3d article of the note of the French legation of the 19th of July; that it had given an answer to that article, but that the answer was not found, as it should have been, in the note communicated the 10th of August by the minister plenipotentiary of his Majesty the Emperor. It is the effect of an omission which cannot be attributed to the deputation, and for which every possible reparation is now made by the restitution of the text.

As an explanation on the subject matter of that answer, the undersigned declare, that they cannot in any way listen to what is proposed to them; and that on account of the reasons sufficiently detailed, and annexed to the 3d article of their note of the 19th of July, they persist more strongly in their opinion on that point, as well as on all the other articles of the same note, which they have equally offered as conditions of peace. The undersigned therefore refer to the two notes of the 13th and 19th of August, the object of which, instead of being determined, still subsists completely: and adhering to the declaration made by them to the deputation of the Empire, that it remains responsible for the consequences which may be produced by further delays, they require it repeatedly to furnish, without delay, an answer, both categorical and separate, with respect to all the articles of their note, and particularly of that of the 19th July, to which it has not yet given its consent.

The French government sincerely wishes for peace. It proves that wish by its moderation, and still more so by employing all the means of melioration which are in its power. If the deputation wishes for it, as they desire to believe, let it at length come to a decision. Peace can be retarded but by those who think nothing of the public calamities, and who are blind with respect to their future interests.

(Signed)

BONNIER.

JEAN DEBRY.

ROBERJOT.

Rastadt, August 22.

Note transmitted by the Plenipotentiaries of the Courts of Deux Ponts, Hesse Darmstadt, Baden, the Houses of Nassau, and the Protestant Counts of Westphalia and Vercelavia, to the French Plenipotentiaries.

THE undersigned have the honour to inform the minister plenipotentiary of the French republic, that they have just transmitted to the deputation of the Empire a note, in which they ardently solicit them to accelerate the peace of the Empire. They
flatter

themselves that the ministers plenipotentiary of the French republic will be convinced they have used every effort to render a step efficacious, and to attain the beneficent object so generally desired. Penetrated with the justest confidence in the sentiments of equity and humanity which animate the ministers plenipotentiary of the French republic, the undersigned abstain from painting the afflicting picture of the numberless miseries which, even years, Germany, and more particularly the countries their constituents, have experienced. The enormous sacrifices which have been the consequence of this disastrous war are known; and the despair of the inhabitants of those countries would be complete, if they did not cherish the hope of better things to come.

The undersigned invite by the most pressing solicitations the ministers plenipotentiary of the French republic to concur efficaciously in the work of pacification, and they promise themselves they will not refuse to consider this step as a fresh proof of the desires that animate the princes of the states of the Empire for the speedy conclusion of peace. They dare to hope that the ministers plenipotentiary of the French republic, by deferring to this invitation, will prove in their scale that it is not in vain; but it is with a well-founded confidence reliance has been placed in the generosity and moderation of a great nation, the éclat of whose power will be augmented by softening the conditions upon which depends the accomplishment of their wishes.

(Signed) **BARON de RECHBERG** of Pappenheim,
Kruse, Reckenstein.

Aug. 1798. **THE COUNT de SOLMS.**

inclusion of the Deputation of the Empire of the 29th August.

THE deputation of the Empire informs the Imperial legation, it has resolved on the following answer to the French note of the 5th Fructidor (August 22).

The French ministers plenipotentiary, in their last note of the 5th Fructidor (August 22), have returned an answer to the demand of the deputation of the Empire of the 10th of August, in a manner which cannot fulfil its object. As this note of the 10th of August contained precise and circumstantial explanations relative to the seven articles of the French note of the 1st of Thermidor (July 19), an answer equally precise and detailed was expected on the part of the French ministers, since it is only by reciprocal approaches that negotiations already so advanced can be easily terminated; instead of which, the French ministers plenipotentiary, in the answer they have remitted, have merely referred to the contents of their note of the 1st of Thermidor (July 19),

19), to which the deputation had already answered, as far as in its power.

The deputation of the Empire, in its note of the 10th of August, has already acceded, particularly to article 1, relative to the suppression of the tolls on the Rhine, and also to the demolition of the fortresses of Ehrenbreitstein, mentioned in article 3; and when it required, in return, that the French government should restore to the Empire all the fortified points on the right bank of the Rhine, and on this side the Thalweg, it equally understood that all these points should be and remain dismantled.

As to article 6, relative to the important object of debts, it seemed sufficient to prove in a general manner, the existing impossibility in every respect of taking charge of all the debts indiscriminately; and the French ministers are required to explain themselves in a manner more precise relative to their object, as well as to all the other points which they have not yet answered. The French ministers plenipotentiary must be convinced that this article of the debts, and that of the particular properties of the absentees and emigrants of the left bank of the Rhine, as well as of those whose service or other relations will not permit to remain on that bank, are among the most essential articles of the peace, without which the deputation of the Empire can conclude nothing. Though the deputation of the Empire is convinced of the French government's love of justice, and is certain that it never can have meant to form pretensions on the property of individuals, yet it cannot but wish that the French ministers would, by an explicit declaration, place beyond all doubt the preservation and free enjoyment of every kind of individual property.

The deputation of the Empire has certainly laboured hitherto most seriously, and with a sincerity which cannot be misunderstood, to accelerate the work of peace. It feels in the most lively manner the urgency of circumstances; and to attain its principal object, which is to secure the independent existence and tranquillity of the Empire, it has consented to make the greatest sacrifices. The only demands to which it cannot accede, are those which are contrary to the object of its mission, and which cannot be comprised among the conditions of a permanent and suitable peace. By endeavouring to prevail on the French ministers to desist from such pretensions, it cannot by any means incur the reproach of retarding the conclusion of peace; and in such a state of things, the deputation cannot in any case become responsible for the consequences which may be produced by the delay of the conclusion of peace. Continuing to place a confidence in the moderation of the French government, which it has received such repeated assurances, it waits a tranquillizing declaration, conformable to those moderate sentiments relative to all those points which have not yet been adjusted.

The

deputation of the Empire, taking into consideration all circumstances, believes itself entitled to expect that the Imagination should give its sanction to this answer, as well as art of its decision of the 7th of August, to which the minipotentary has not yet acceded.

of Bavaria, delivered in the Sitting of the 29th August.

At the last note of the French ministers it follows, that its raised relative to the conclusion of the deputation of Thermidor no longer exist; that the thread of the negotiation has been resumed: but the language in which this note is is ill calculated to follow it up with effect.

different answers given in the conclusion of the 11th or, upon the seven articles of the French note, are perogatory; and it seems that it is determined to consider such, until each of them is answered absolutely in the affirmative, that is to say, one side has only to demand, and the other to agree.

pretence are added in each note threats of responsibility, reckoned as nothing the immense sacrifice of the counted on the left bank of the Rhine. The deputation be satisfied with respect to the article of responsibility. It is decided, as well as the whole Empire, that its justification the constitutional progress of the negotiation, and in the of its resolutions.

men among the Germans have thought it their duty to deputation to make sacrifices greater than it has done, it the effect of the excessive distresses to which we are reduced miseries of war — miseries which have not been entirely bringing the course of the negotiation. But the cries of humanity are addressed with less force to the party which is daily demanding sacrifices, than to that which is constantly yielding them. These complaints of despair should not induce deputation to betray its duties towards the Empire. If it without examination, to whatever may be incompatible dignity, the existence, and the future safety of the Empire, would then fill up the measure of its responsibility towards the present and future generations.

is to the demand of keeping possession of all the fortified the right bank of the Rhine, Germany thought she would be separated from France by a natural barrier which could be mounted, and which would form a protection against aggression. This idea was the natural consequence of the notions contained in our respective notes. But on a sudden that of the French ministers of the 17th Floreal. They demand the islands, Cassel, Kehl, all the fortified posts upon the Rhine.

the right bank of the Rhine, and they wish to convert the natural limits of the Rhine into a barrier, to facilitate future hostile enterprises. From this idea of a new barrier it naturally results, that the deputation, in agreeing to it, would compromise the very existence of the Empire, and would devolve on itself a real responsibility.

The Empire desires, and ought to desire peace. The French ministers desire it also. This assurance is consolatory. We are therefore sensible, though we cannot explain it, that there exists in the negotiations an obstacle which paralyzes its diplomatic progress.

May all difficulties be finally terminated by moderate measures. In the present state of things, the undersigned deputy is compelled to insist on the contents of the conclusum of the 21st Thermidor, and he thinks we ought to declare to the French ministers, that in return for the demolition of Ehrenbreitstein conceded to them, they ought to renounce the fortified posts on the right bank of the Rhine; that they ought to endeavour to come to an understanding on the article of debts, and that they should determine upon questions which have not yet been proposed, as well as those already submitted to discussion. As we have before expressed our thoughts on these important objects, without forming any resolution on the subject, it behoves us to occupy our attention solely in presenting a note to the French legation.

Note of the French Ministers Plenipotentiary of the 1st September.

ANOTHER note from the deputation of the Empire has been communicated on the 14th Fructidor (30th August) to the undersigned ministers plenipotentiary of the French republic, appointed to negotiate with the German Empire, by the minister plenipotentiary of his Majesty the Emperor.

The undersigned hasten to acquaint the deputation of the Empire, that they accept the pure and simple consent given in their note to the demolition of the fortifications of Ehrenbreitstein; but they persist most strongly, and for reasons expressed in their preceding note, in demanding the cession of Kehl and of Cassel, and its appurtenances, points essential to the safety of the French frontier, of which the republic is in possession, and which are partly necessary dependencies upon what has already been irrevocably ceded to them.

They equally persist in all their other propositions and declarations contained in the notes they have remitted up to this day; that is to say, since and including the 14th of last Floreal. The deputation of the Empire feels too well that even if the French government should sacrifice still something more to their desire of
 acc-

accelerating the conclusion of peace, it would not be, without doubt, when her demands are opposed by a resistance without motive, and contrary to the true direction which the force of things ought, at this day, to give to the politics of the princes of the Empire.

They demand, and they hope it is for the last time, a categorical and prompt answer. They give notice to the deputation of the Empire, that that answer will govern their future conduct.

The ministers plenipotentiary of the French republic assure the ministers plenipotentiary of his Imperial Majesty of their most distinguished consideration.

*Rastadt, 15 Fructidor, 6th year of
the French republic.*

BONNIER.
JEAN DE BRIE.
ROBERJOT.

*Note from the Imperial Commission to the Deputation of the Empire at
Rastadt, 3d September.*

THE Imperial commission annexed to the deputation of the Empire, approve of the offer of the demolition of the fortifications of Ehrenbreitstein, contained in the conclusion of the deputation of the 7th and 29th August, upon the conditions expressed in the said decisions. As the ministers plenipotentiary of the French republic have replied to the note of the deputation of the 31st August, by a counter note of the 1st September, a copy of which is annexed, the Imperial legation expects the decision which the deputation of the Empire will adopt upon that subject.

*Decree of the Imperial Commission to the Deputation of the Empire at
Rastadt, 4th September.*

THE Imperial commission annexed to the deputation of the Empire for the conclusion of peace, acquaint the deputation by the subsequent copy of the note transmitted yesterday to the ministers plenipotentiary of the French republic, with the manner in which they have been informed of the sanction given to the 3d article of the conclusion of the 7th of August.

Note addressed to the Ministers Plenipotentiary of the French Republic

IN the two notes that were transmitted on the 2 August, to the ministers plenipotentiary of the French republic, the undersigned reserved to himself the giving respecting the demolition of the fortifications consented to by the deputation of the Empire

cannot be separated from it. He has just informed the deputation of this decision, upon giving it his approbation. It is only by that sanction, and from the moment it was given, that the proposition of the deputation of the Empire could have the form of an effective and formal offer from state to state ; and it only begins to possess all its validity from the instant that the undersigned, as he hereby does, informs the ministers plenipotentiary of the French republic of it. He reiterates the assurance of his distinguished consideration.

F. G. C. COUNT DE METTERNICH
WENNEBOURG BELLESTEIN.

Rastadt, 3d Sept. 1798.

Substance of the Conclusion of the Deputation of the Empire, on the 10th of September.

THE deputation consents to cede the island of Peterstave, but requires the restoration of Kehl and Cassel.

[A second note was drawn up by the deputation of the Empire, on the 10th of September, in which they demanded the recall of the republican troops on the right bank of the Rhine.]

Notes transmitted by the French Plenipotentiaries to the Imperial Minister at Rastadt.

THE undersigned ministers plenipotentiary of the French republic for negotiating a peace with the German Empire, have received the note of the deputation of the Empire, which was communicated to them on the 25th Fructidor (September 11), by the minister plenipotentiary of his Imperial Majesty.

Whatever may be the satisfaction which the undersigned may derive from the pacific language of the deputation of the Empire; whatever may be the confidence they are disposed to place in it, they are nevertheless compelled to observe, that after more than nine months spent in negotiation, words, and even intentions, are not sufficient ; realities are necessary, in order to prove a sincere desire for peace. Peace must be concluded, and the undersigned are unremitting in their endeavours to obtain it. It is true, indeed, that the deputation seems at present disposed to emerge from that state of indecision in which it has been held ; it has recently assented to one of the important demands which have been made in the name of the French republic ; (to wit) the demolition of the fortifications of Ehrenbreitstein ; and this assent, which it this day renews, is expressed in a manner which shows that the undersigned were not deceived when they made the uncontradicted declaration, that they regarded and accepted that assent as pure and simple.—

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But why permit to remain in one of the preceding conclusions, the conditional disposition that had crept into it? Why frustrate the good effects of a revocation, which, by obviating difficulties, and by restoring to the sacrifice made by the deputation the whole of its merit, might have given to the French government an additional assurance of the reciprocal loyalty of the negotiations, and a firmer solidity to future engagements? It is also true that the deputation of the Empire shows itself fully disposed to cede to the French republic the fortified island of St. Peter; but it seems to set an exaggerated price upon that cession, which would considerably reduce its value, and even the mere proposal of it would induce a belief that the deputation too easily forget the many sacrifices which the French government has already made, with a wish to restore peace to the Empire. It is in general a mistake, and one can, and one ought to repeat it, to think of establishing between two contracting powers a reciprocity of advantages rigorously exact. That nice balance is scarcely ever to be found, either in the nature of things, or the respective position of persons; and if it could be admitted in the present negotiation, it is evident that there would result from it a real inequality for the French republic, which in that case would not only lose a considerable part of the proportional satisfaction which is due to it, but which should also see diminished in its hands the important advantages which it might have preserved, and which diminution would arise from the effect of that reciprocity. Such a system, utterly irreconcilable with any place whatever, and much more unfounded when contrasted with the splendour of the French victories, could never be seriously insisted on by sincere and judicious negotiators.

Notwithstanding these observations, which were deemed necessary, the undersigned will not deny but that the note of the deputation of the Empire has offered them some melioration in the state of affairs, and the happy though tardy possibility of a result impatiently looked for by both nations. It appears indeed, from the analysis of that note, that at least all the essential difficulties are now reducible to these three questions:

1st. The retaining by the French, or the restitution to the Empire, of the fortified places Kehl and Cassel.

2d. The transfer upon the countries given in exchange on the right bank of the Rhine, of the debts which shall fall upon those ceded on the left bank.

3d. The application or exemption of the French laws concerning the emigrants. All the rest, as the deputation observe, will be easily adjusted when the great obstacles are removed.

The attention of the undersigned is then wholly directed to these three questions; and the examination they have given to them has been the more scrupulous, because the two last seem nearly to affect the welfare, the liberty, and the fortune of a great

number of families in the two states ; objects which the French government holds sacred in its political relations with other countries, as well as in its internal administration : accordingly they do not hesitate to make the following proclamations and declarations, but under the express reservation that the fortified island of St. Peter shall immediately be ceded to the French republic ; and at the same time all the clauses and conditions annexed to the demolition of Ehrenbreitstein, and other demands of the undersigned, shall be annulled.

1st. It would be useless here to restate the well-known reasons which so powerfully induce the French republic to retain possession of Cassel and Kehl, with their dependencies. The same reasons still prevent them from agreeing totally to abandon these possessions. It is natural to believe that the princes and other states of the Empire should consider this point in a political view ; that they should ultimately regret their not having sufficiently perceived or properly appreciated this object. But instead of a salutary confidence, in seeing several fortified places in the hands of the French, they seem to have experienced an opposite feeling. In order to dispel all apprehensions, the French republic gives up the fortresses of Kehl and Cassel, which shall be demolished, and shall only retain the territories.

2d. With regard to the debts, the deputation surely have not presumed that the French government could agree to any arrangement which should be calculated too sensibly to depreciate the cession of the left bank of the Rhine ; to perpetuate between the two nations the seeds of intricate discussions, and to transfer to a territory united to France the expenses of the war, which the Empire itself has incurred. The debts of the countries ceded, as the undersigned have uniformly said, shall be transferred to the countries on the right bank, given by way of indemnification ; but the republic will consent that the provincial and communal debts, with the exception of those which may have been contracted on account of and for the expenses of the war, shall be and continue to affect the ceded territories : the rights of third creditors are reserved.

3d. The undersigned declare that the laws respecting emigration are not applicable to countries ceded and not united, not even to Mentz. They make this consolatory declaration with pleasure ; but as the article to which this forms a reply is enumerated among the eighteen articles annexed to the note of the deputation of the 3d March, and this article is connected with articles mentioned in the note of the 11th of the same month, it is proper here to explain this point precisely. The undersigned declare then that they have now answered those articles and presuppositions in every point capable of discussion, farther referring themselves to their note of the 19th Germinal, and declaring that the French legation does not, and never can, regard these articles and presuppositions

positions but as insulated, distinct from one another, and independent of all others ; and that they will oppose every application of them employed to invalidate or elude the point agreed upon.

The ministers plenipotentiary of the French republic present this note as the pledge of peace.

France and Germany being now the judges of the affair, the French legation flatter themselves that the deputation of the Empire will unite with them in this opinion, and that they will not take upon them the responsibility of being the first to produce a rupture. They give the minister plenipotentiary of his Majesty the Emperor their assurances of the most distinguished consideration.

(Signed)

BONNIER.

JEAN DEBRY.

ROBERJOT.

*Rusladi, 28th Fruelidor (Sept. 14),
year 6 of the French republic.*

THE undersigned ministers plenipotentiary of the French republic for the negotiation of peace with the Germanic Empire, received on the 25th (Sept. 10), a second note from the deputation of the Empire, transmitted to them by the minister plenipotentiary of his Majesty the Emperor.

The particular object of this note is to demand the recall of the republican troops on the right bank. The undersigned invite the deputation of the Empire to weigh well this truth, so clearly demonstrated since the opening of the conferences, that the Executive Directory of the French republic is sincerely desirous of peace, and a speedy and perfect reconciliation between the two states ; that it desires nothing so much as to see not merely diminished, but entirely superseded by the happy inutility of defensive precautions, the circumstances connected with the present situation of affairs, and that this anxiety for precaution may utterly cease.

The deputation of the Empire cannot, upon its side, fail to perceive that the demand which it renews at present is premature ; that the abandoning the military positions being necessarily the first consequence of an effectual pacification, there is no peremptory reason why the troops of the republic should be withdrawn from the other side of the Rhine. By repeating an observation thus essentially just, the undersigned will avail themselves of it, in order to destroy a very bold and ungrounded assertion, propagated far and near, and which the enemies of the French nation will doubtless not be backward to circulate and enforce. It had been said that the republican troops had transgressed the line marked by the amnesty. The ministers plenipotentiary of the French republic gave a formal and full contradiction to this pretended fact. They assert that the republican troops have not over-

overstepped the lines fixed on for the two armies. This example, to which it were easy to annex others of a similar nature, ought to have reminded the deputation of the Empire to guard against all kinds of reports, exaggerated or absolutely false, which may have been or shall hereafter be made to them, uniformly with the hope of exasperating the public mind, and perhaps to withdraw their attention from designs that are truly hostile. No one can be ignorant that certain individual hardships are inseparable from a transition from a state of war to that of peace. It is not the fault of the undersigned that this transition has not proved happy and rapid; it behoves the deputation of the Empire to become daily more thoroughly convinced, that the most efficacious labours that can ever be exerted for the solace and for the happiness of nations, are principally and only those that tend to prevent the calamities of war by a speedy pacification; it belongs to the deputation to yield to the wishes of the Princes, and of all the inhabitants of Germany, whose remonstrances, and even whose complaints, swell into a cry for peace; then all subjects of uneasiness on either side must cease, and the remembrance of past sufferings will be drowned in the enjoyment of a tranquil and durable prosperity.

The ministers plenipotentiary of the French republic, in closing the present note, reserve themselves expressly to what they have declared in their first note of this day relative to the 18 articles annexed to the note of the deputation of the Empire of the 3d March, and to the hints thrown out in the note of the 11th of the same month.

They assure the minister plenipotentiary of his Imperial Majesty of their most distinguished consideration.

(Signed)

*Rastadt, 28th Fructidor (Sept. 14),
year 6 of the French republic.*

BONNIER.

JEAN DEBRY.

ROBERJOT.

Conclusum of the Deputation of the Empire.

Rastadt, Sept. 22.

THE deputation of the Empire are of opinion that the following is the answer that should be given to the late notes of the French legation of the 28th Fructidor (Sept. 14).

The French notes that were delivered in on the 28th Fructidor (September 14) have made a very agreeable impression upon the deputation of the Empire. The sensible approximation of the French ministers plenipotentiary in some essential points of the negotiation has fully confirmed the consolatory hope that is conceived of the happy moment not being far distant when France and Germany will mutually stretch out a friendly hand in sign of peace.

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The deputation of the Empire having uniformly evinced by the most unequivocal endeavours the most ardent and unabated zeal, and proved by the greatest sacrifices its desire of accelerating the pacification, could not but feel some pain and concern, from observing that these endeavours were always misunderstood by the French ministers plenipotentiary, and that it was even pretended that the legation looked for an absolute equality of advantages between the two contracting parties. This equality will be still less to be presumed upon, now that the deputation (under the undoubting expectation that the French ministers will on their side manifest a reciprocal condescension respecting points of equal importance, and even in some measure of still more importance to Germany, and that the demands which have been made will be acceded to) strictly acquiesces in the wishes of the French legation, and confirms to it, besides the cession of the left bank, the land of St. Pierre, near Mentz, and the demolition of the fortifications of Ehrenbreitstein; but still renewing the observation that the provisioning of the latter fortress will not, agreeably to the existing convention, any longer experience any obstructions.

The French ministers plenipotentiary having given their assurance, that after the satisfactory explanation of three points, upon which their last note essentially turned, there would be no difficulty in coming to an agreement respecting the remaining points; the deputation therefore feels a more eager disposition to co-operate with all its might in the speedy explanation of these points, eminently essential, and consequently hasten to make the following answers to them:

Art. I. The deputation of the Empire not only accepts the renunciation of the French ministers plenipotentiary of the fortifications of Kehl and of Cassel, but it also receives with considerable satisfaction the assurance that it is their intention to remove and do away altogether every uneasiness respecting these possessions.

But as, in order to give full effect to that intention, it is necessary that France should renounce all claim to the territories which had been reserved, as likewise to all kind of possessions and to every point of contact on the right bank of the Rhine, it is confidently expected of the French government (and this point must be formally insisted upon) that it will also accede to this renunciation; and the more so as the frontiers of France are sufficiently secured and protected by the island of St. Pierre, and the demolition of the fortresses of Ehrenbreitstein; that the territories held in reservation have no real value; and that the French republic will, by that renunciation, manifest on its side an equal desire of removing every thing that could tend hereafter to disturb the harmony and good understanding which ought to obtain between the two states; and that the French republic is on its side induced, by

fully acquiescing in this point, to remove the principal obstacle that stands in the way of a pacification.

Art. II. In their last note the French ministers have explained themselves respecting certain debts in a manner which at least leaves an opening for a possible conciliation upon that point; all the advantageous declarations made upon this subject are therefore previously accepted: but in order to fix and throw light upon a subject of such importance, which involves so many interests and so many individuals, it is necessary to observe—

1. That the deputation cannot understand by the expression of *commercial debts*, any thing more than the debts of the communes, of the districts of the country, of the towns, baillages, and corporations, and, in a word, the debts that have not been contracted by the state in general, but only by particular corporations, in order to answer their own expenses and wants. This sort of debts can only be regarded as private debts. They are not pretended to have been incurred in order to answer the exigences of the state. The German landlords have no direct share in them; the communal members and the communal property that has been mortgaged are alone liable to be charged with these communal debts. The treasury of the state had nothing in common with the payment of these debts; they were paid up by the communes that owed them, by the bailiwicks, districts, corporations, or by those that succeed them. This sort of debts that have their defined object cannot therefore be comprised in the present discussion; nor can there be made, with respect to them, any distinction between the debts that have been contracted before or during the present war.

2. The provincial or debts of the state have also so many different relations, on account of the diversity of the territories of the Imperial states, that it is necessary to enter into a detailed explanation respecting them before there can be laid down upon this point any general basis. The French ministers will be the more inclined to listen to these details, as they have declared in their last note, that they coincide with the deputation of the Empire in the sincere intention of bringing to a precise determination whatever regards these debts; that there may not be endlessly perpetuated between the two powers the germ of a complicated discussion. The French ministers have repeated, that the debts of the countries ceded shall be transferred to the countries on the right bank ceded by way of indemnification. At present the question relates merely to the debts of the present lords who shall obtain other territories in compensation, or other states on the right bank; but the mode in which the debts were contracted in these countries, differs essentially from that in which they were contracted in the others. In one, the state has domains; in the other,

not,

not. In the one, the treasury for the domains is absolutely distinct from that of the contributions; in the other, no such distinction is known, and the whole is paid into the same treasury. In some others where there are two distinct treasuries, the states or the regencies administer the revenue in their own persons; elsewhere, the landlord administers both. There are even some where each treasury has its distinct administration; and finally, others where the treasuries are without distinction under the superintendence of single financial chambers. In order, therefore, to come at the knowledge of the real debt of the country, denominated provincial debt, a criterion should be established, by which it might appear that the debt had been contracted for the use or wants of the country; then it will be acknowledged a true debt of the country, called provincial debt, with which the country is chargeable. If, on the other hand, after having thoroughly and maturely examined this matter, which in its nature is so complicated, it should be deemed expedient that such of the debts of the country as have been contracted for the expenses of the war, should fall upon the objects pledged as indemnities, this exception would require a still more precise determination, stating that these debts have been contracted towards defraying the expenses of the war carried on against the French republic, and that they have been employed by or for the advantage of the armies. It is likewise proper to observe, that several states extend along the two banks; it would consequently be requisite, with regard to the debts of these states, to establish a more precise determination. In this case it were necessary, if these debts are not to be proportioned between the divisions of the states (an attempt that would involve great difficulties), to be guided by the contracts of the special mortgage of the creditors, and make chargeable the debt upon that portion of the states which is charged with the special mortgage.

3. The assurance given by the French ministers, that the rights of their creditors shall be reserved, is so conformable to the sentiments of the deputation, and to the principles laid down in their preceding communications, that this assurance is received with pleasure, in the hope that it will equally extend to the unre-served and conscientious payment of the capital and interest, in the manner that these payments have been stipulated between the contracting powers.

Art. III. The declaration made by the French ministers, that the laws respecting emigrants are not applicable to the ceded countries, not even to Mentz, is regarded by the deputation as a proof of their love of justice; but as it is also an undoubted matter, that all the Germanic countries situate on the left bank of the Rhine, that are to be ceded to France, in the same manner, and at the same time, in virtue of the future treaty of peace, ought,

agreeably to the principles of justice, to pretend with full confidence to a treatment perfectly equal and similar; as moreover the reunion already agreed upon, and to which nevertheless the French plenipotentiaries seem disposed to apply the laws relative to emigration, cannot be regarded as finally settled, until the cessation of them be made by the Empire; and as the aforesaid laws cannot have a retroactive effect, it may be expected from the equity of the French government, that it will look upon it as an act of justice, and that it will itself declare that the laws respecting emigration are not applicable to any portion of such of the Germanic countries as shall be ceded to France by a future treaty of peace; but particularly to the possession of the Germanic states, and of the members of the nobility of the Empire, not to the other dependants of the Empire in Lorraine, in Alsace, and even in France; that this non-application shall take place for each, without exception, of whatever state or condition it may be; and that a redress shall be obtained for all that may have been otherwise done to the contrary to the present hour, to persons or property. For the rest, as the opinion of the deputation perfectly coincides with that of the French ministers, that, when the aforesaid three principal points shall be agreed on, the accommodation of the other points and articles still in litigation, will not be procrastinated, the deputation will for the present confine itself to reserving in general its ulterior decision of the points as yet untouched and undecided, in order to come more speedily to the explanation and decision of the aforesaid principal points. At the same time it cannot be denied the negotiations for peace have made such progress, that every measure of security in the countries on the right bank of the Rhine becomes daily more unnecessary for the French republic. In reply then to the French note of the 28th Fructidor, the deputation cannot forbear repeating the demand so urgently and energetically made in the note of the deputation of the 24th Fructidor, that the French troops should be withdrawn from the right bank of the Rhine, where the exactions of the troops increase daily; and hopes are entertained, that from the love which the French government bears to justice, in the present state of the negotiation, at least some provisional measures will be taken for withdrawing all these troops from the countries above mentioned; that any further requisitions will be suspended, and that the contributions not yet recovered will not be enforced. By these just dispositions, that part of the right bank of the Rhine which has suffered so much will begin to taste a little the blessings of peace; for the attainment of which for all Germany, the most sincere exertions have been employed on the side of the deputation.

The deputation of the Empire are convinced, that, by this answer, the definitive pacification will be considerably advanced; they

they confidently flatter themselves then, that the French plenipotentiaries will accede to it. The plenipotentiaries of the deputation of the Empire present, Electors, Princes, and States, recommend themselves for this effect to the Imperial legation.

Substance of the Vote of Austria in the Sitting of the 20th September.

THE most unhappy events of nine ages have not injured the Germanic body so much as the cessions made within the last nine months, on the left bank of the Rhine, by the deputation of the Empire. By these, France acquires a population of more than two million of souls, an annual revenue of more than nine millions, and the finest and most fertile part of Germany, besides the inestimable advantages offered by the Rhine, in a military and commercial point of view. The majority of the deputation has, moreover, consented to the demolition of the fortrefs of Ehrenbreitstein, upon the conditions declared in the conclusum of the 7th of August, and has also shown a disposition, contrary to the adopted principle of the Thalweg, to cede the important island of St. Pierre, near the right bank of the Rhine. All this clearly shows that the deputation has not continued in a wavering state, and that Germany has made many sacrifices. The delegates of Austria therefore require that every place on the right bank of the Rhine, and every thing appertaining thereto, should remain to the German Empire. As to the debts, they will readily accede to whatever the deputation shall further determine on this subject. With respect to the emigrants, they must remark, that those who abandoned their homes, driven by the distresses of war, at a time when the separation or cession of these countries was not thought of, have no right to be subjected to the French laws on emigration. They also recommend it to the deputation to intercede with the French ministers for the unfortunate inhabitants of the bishoprics of Basle, Liege, and Strasbourg, and all others similarly situated.

Substance of the Note of the French Ministers of the 3d October, in Answer to the Conclusum of the Deputation of the Empire of the 22d September.

THE French ministers congratulate the deputation on its return to the true interest, to the real and pressing want of Germany, a peace with France. The grand step taken for this purpose after the cession of the left bank of the Rhine, is that of the island of St. Pierre, and the demolition of Ehrenbreitstein. The moment is come of determining, by decisive acts, the alternative of peace or war. It would not have delayed it so long,
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if it had considered the influence of French principles in case of a rupture. The Executive Directory have shown a condescending dignity, and a moderation unexampled, on the part of a victorious power; they will support that character, by restoring the territories of Kehl and Cassel. This is the price at which the deputation must accede to the following articles:

1. The delimitation of the course of the Rhine and its islands, and the liberty of the navigation of that river.

2. The suppression of the toll of Elsfleth, upon the Weser, as being a restraint on our commerce with Bremen; and the conservation of their political existence and constitutional independence to the cities of Bremen, Hamburg, and Franckfort.

3. Liberty to establish bridges, purely commercial, on two points of the Rhine.

4. The renunciation of every demand contrary to the French constitution in favour of the immediate nobility.

5. The article of debts shall remain as it is. But the republic will charge itself with such of them as are for the particular advantage of the countries become French.

6. The laws on emigration shall not be applicable to the countries now ceded to France, nor to Mentz; but they shall be in full force in the united countries.

7. The republican troops shall repass to the left bank of the Rhine, immediately after the pacification. Until then, they are to remain in their present position.

8. The Empire shall consent to the cession of Frickthal, and of all the places in that country, and in those belonging to the Italian republics.

9. The French republic, and those of Italy, shall renounce, on their part, all pretensions to the remaining countries in Germany. They shall treat separately on the subject of the particular engagements contracted by France with the German Princes during the war.

10. Besides the demolition of Kehl and Cassel, the Empire must undertake not to erect any fort or entrenched camp at a less distance than six kilometers, or three thousand toises, from the right bank of the Rhine.

If these conditions should not be accepted without delay, the conditional promise of restoring the territories of Kehl and Cassel shall be null and void. Such a rejection would show the Empire wishes for war.

Note delivered by the Prussian Minister to the French Legation.

THE undersigned minister plenipotentiary of his Majesty the King of Prussia has seen with peculiar satisfaction, from the last note of the plenipotentiary citizens ministers of the French republic,

public, that, induced by the strong reasons urged by the deputation of the Empire, they have given up their claim of the territories of Kehl and Cassel; and that they restricted themselves, with some modifications, to the boundary of the left bank of the Rhine. The King cannot but express his approbation of this concession of the French Directory, which is of so much consequence to the future tranquillity of Germany; but in the same note there are objects relative to which his Majesty finds his just expectations disappointed. Of this kind, among others, is the circumstance that the old course of the Rhine, in the middle of the tracking or navigation way, shall be strictly held to be the boundary on each side, by which all the declarations contained in an official note from his Majesty's minister, of the date of the 19th of June, are disregarded. As such a claim must militate against the wishes and interests of his Majesty, the undersigned is convinced that the ministers plenipotentiary of the republic, when they consider the reasons alleged in the above-mentioned Prussian note, will not refuse to yield to them. He grounds this hope on the known circumstance, that the Rhine anciently bore the name of the Waal. Another point, considerably connected with this, is the course of the Rhine opposite Wesel. The undersigned has repeatedly had the honour to observe to the French legation, of what importance it is to the town and fortress of Wesel, that the isle of Buderich, which is formed by a canal, which so directs the course of the Rhine that it leaves the island to the right, should remain to the Empire, that the water-works which are necessary to the existence of the town and fortress of Wesel may be properly maintained. Should the full powers of the ministers of the French republic not be sufficiently extensive for them to accede to the representations of the undersigned on this subject, he requests that they will transmit the present note to the Executive Directory, accompanied by a favourable statement. The love of peace and humane dispositions, which actuate the ministers plenipotentiary of the French republic, and which they have so lately manifested, encourage the undersigned in the pleasing hope, that, to hasten the conclusion of peace, they will not only espouse with zeal the representations relative to the two points above-mentioned now submitted to their mature consideration; but that they will not refuse to admit further modifications and concessions, relative to various other points in their note, of the utmost consequence to the most important interests of the German nation.

Rastadt, Oct. 8, 1798.

Answer

Answer of the French Minister to the Note of the Prussian Minister, of the Date of the 8th of October, relative to the Boundary on the Lower Rhine, and the Isle of Buderich.

THE undersigned ministers of the French republic have received the notes of the Prussian plenipotentiary of the date of the 18th Vendémiaire (Oët. 9). They had transmitted with the utmost dispatch to their government the note received from the Prussian legation, on the 1st Messidor, relative to the same object. They communicated the verbal answer they received, stating, that the French government found it impossible to accede to the wish of his Prussian Majesty: the undersigned cannot, therefore, undertake to transmit to the Directory demands, relative to which it has expressed itself so explicitly in the negative; wherefore they must consider this object as determined. His Prussian Majesty and the ministers plenipotentiary are too just to find any thing in the application of an acknowledged principle, to which the republic has made so great sacrifices, that can weaken the good understanding or friendly relations, the maintenance of which between the two states the Directory has so much at heart. The ministers plenipotentiary of the French republic express with pleasure their high consideration for the minister plenipotentiary of his Prussian Majesty.

*Rastadt, the 22d Vendémiaire
(Oët. 13).*

BONNIER.
JEAN DEBRY.
ROBERJOT.

Reply of the Prussian Legation to the Note of the French Ministers of the 13th October.

THE undersigned ministers plenipotentiary of his Prussian Majesty have received, the 13th of this month (22d Vendémiaire), the note which the citizens ministers plenipotentiary of the French republic addressed to them in reply to that of the 8th of this month.

The contents of that reply have obliged the undersigned to the following explanations. The citizens ministers there assure them, that they have not failed to make known to the members of the King's legation, the verbal reply they had received upon the object of the note of the Prussian mission of the 1st Messidor (19th June), and the impossibility in which the French government were placed to accede to the wish of Prussia.

The undersigned know nothing of a verbal reply which might have been given them by the citizens ministers plenipotentiary of the French republic, upon the above-mentioned note of the Prussian

sian legation. They could not suppose that the insinuations, made to some of their members occasionally, and by way of conversation from individual to individual, could be wished to be considered as such. This mode of explanation has been formally declared by the French legation as not being to be regarded as official, the French legation being indivisible.

But in case even that a verbal reply should have been given to the undersigned, respecting their note of the 19th of June, they could not regard as peremptory the conclusions drawn by the citizens ministers plenipotentiary of the republic.

They make known in their note of the 13th of October (22d Vendemiaire), that they cannot take upon them to reproduce to the Directory demands upon which they have declared themselves in a negative manner, and in a way to make them consider the object in question as terminated.

The frankness with which the undersigned have made it a rule to open themselves upon every occasion to the ministers plenipotentiary of a power friendly to the King their master, shall still in this note be the guide of their conduct. Faithful to this principle, they will not dissimble to the ministers plenipotentiary of the republic, that they could not but be much surprised to find, in the passage before cited, expressions which appear to them to contain a formal refusal to convey to the Directory their note of the 8th of this month, a note, whose object is not only the article stated in an anterior note of the 19th of June, but which, besides, includes other important objects, to which the King and the Empire attach a sufficiently considerable interest; a note, in short, which contains reiterated most amicable assurances of his Majesty towards the French republic.

The undersigned are inclined to believe, that in any case the citizens ministers of the republic to the congress will not refuse to convey to the knowledge of their constituents the demands which shall be addressed to them on the part of the undersigned, who negotiate in the name of the King their master.

They observe besides, that should even their demands appear to the legation of the republic to be objects terminated, that judgment cannot be looked upon by the undersigned as without appeal. In the course of all negotiations, cases present themselves, in which, on one side or the other, ulterior discussions are judged inadmissible. It happens, however, that, after reiterated representations, important modifications, and sometimes absolute renunciations, are admitted.

The undersigned will not renounce the hope that the Executive Directory of the republic will find in their justice ulterior explanations upon the object of the note of the 19th of June, worthy of all their attention.

They add to this a topographical draught upon the object of the true course of the Rhine, with an explanatory note, which will clearly make known the sole principles to be followed upon this occasion.

The isle of Buderich forms another object of the note of the 8th instant. It has not been treated of in writing by the undersigned, except in that same note. In recognising the justice of the application of the acknowledged principle, they cannot resolve nevertheless to abandon the hope of a complete deference on the part of the Directory to the wish of the King and the whole German Empire, respecting the object of this isle. The deputation of the Empire have decided in a similar case to consent (as an exception to an acknowledged principle) to the cession of the fortified isle of St. Pierre, notwithstanding the immense sacrifices they had already made to the love of peace. Every thing thus concurs to induce a hope beforehand, that by a just return, and considering above all that the isle of St. Pierre is infinitely of less importance to the existence of Mentz than the isle of Buderich, with its canal, to the maintenance of the fortress, and to the preservation of the inhabitants of the town of Wesel, the Directory will not hesitate to leave this latter isle in the hands of the King and the Empire, to which besides there remains no fortress on the right bank for its defence, whilst the possessions of the republic on the left are defended by a triple chain of impregnable fortresses. Under all these considerations, the undersigned, with the greatest earnestness, renew their requests, that the ministers plenipotentiary of the republic will no longer hesitate once more to lay before the Directory all their demands, and to that end, that they will, without delay, present to the Directory their note of the 8th of this month, as well as the present one. They flatter themselves, that the Directory, agreeing in that respect with the principles adopted by his Prussian Majesty on every negotiation, will never consent that the communications between the plenipotentiaries of Prussia and those of the republic should be obstructed upon any point of respective conferences, before they are definitively acknowledged by the two governments as terminated. The undersigned repeat their assurances of their high consideration for the citizens ministers plenipotentiary of the republic.

(Signed)

Rajadt, Oct. 16, 1798.

GORTZ.
JACOBI.
DOHM.

Verbal Note of his Imperial Majesty to the Ministers Plenipotentiary of the French Republic.

THE negotiation for peace between the Empire and France is so far advanced, its basis is so perfectly satisfactory, the desire on the

the part of the Empire is so completely demonstrated by the invaluable sacrifices it has made, that the obstacles which still oppose its accomplishment are neither to be attributed to its dispositions nor to its conduct.

In this state of affairs one cannot but be surprised to see the Commandant General of the French troops on the Rhine continue the blockade of the fortress of Ehrenbreitstein, and the ministers plenipotentiary of the republic refuse an answer to the reiterated remonstrances which have been made to them relative to the suspension of those menaces, which are not only contrary to the armistice, and the conventions which have followed it, but which are besides absolutely useless, and without any object, except that indeed which cannot be supposed, that the French government has determined to alter the state of possession in the midst of the negotiations, and that too after having received on the part of the Empire every proof imaginable of the good faith with which it has invariably directed them towards their conclusion.

If the republic refuses to evacuate the right bank of the Rhine, upon the principle of preserving its advantages until the signing of peace; if, even after having consented to them, it continues to keep possession of the forts of Kehl and Cassel, the same principle ought to preserve the fort of Ehrenbreitstein to the Empire until the same period, and ought also to guarantee the execution of those conventions, made solely to preserve the possession of it without interruption during the whole course of the negotiations.

The minister plenipotentiary of his Majesty the Emperor would willingly persuade himself that any other mode of proceeding cannot enter into the views of the French republic; and that it would be equally repugnant to the character of its ministers, charged on every occasion to give assurances of its loyalty and uprightness. In fact, nothing can more effectually tend to destroy that confidence, without which the negotiations can never attain their object, peace be concluded, or, if attained, become permanent.

He therefore requires the ministers plenipotentiary of the French republic to explain themselves upon this subject, and in such a manner as to answer to those proofs, as multiplied as evident, which the Empire has not ceased to give of its frankness and incontestable desire to inspire confidence, and to obtain peace, even at the price of the greatest sacrifices.

FRANÇOIS GEORGE CHARLES,

Count de Metternich Winnebourg Beilstein.

Rastadt, Oct. 14, 1798.

Abstract of a Conversation which took place between the Minister Plenipotentiary of the Emperor and those of the French Republic, respecting the Object of the Verbal Note.

AFTER having explained to the ministers plenipotentiary of the French republic the points contained in the verbal note which the Count de Metternich had just read, the minister Bonnier addressed himself, and observed, that they, the ministers plenipotentiary of the French republic, expected, in the first place, the official answer of the deputation, according to the established custom. The Count de Metternich easily perceived, that the minister Bonnier wished by this means to avoid a detailed discussion upon the principal object of the conference. He further thought that this answer of the minister Bonnier tended to destroy the principle which gave the minister plenipotentiary of the Emperor the power of concluding the negotiations with respect to those objects, the basis of which had been considered by the deputation, and sanctioned by him. It was important to establish this incontestable right in the minister plenipotentiary, and not to have it supposed by the minister of the republic that such a proceeding could be dictated by secondary views. The Count de Metternich then observed to the minister Bonnier, that all he had had the honour of presenting on this subject was the result of those principles and bases which had been adopted, though they had not been so detailed in the preceding notes; that furthermore, the minister plenipotentiary of the Empire did not wish to disguise the real state of affairs; and that he would not fail to inform the deputation of the result of the conference, reserving also to himself to transmit to the ministers plenipotentiary of the republic an official note in the course of the week. The minister Bonnier replied, by observing, that the demand of the Count de Metternich could only proceed from a conviction that the deputation had only to accelerate the conclusion of peace, and that then the object relative to Ehrenbreitstein would be accomplished. The Count de Metternich replied, that this observation was unanswerable; but that his object for the moment was to establish the principle which declared that the *status quo*, and the actual possession, should not be altered; that France had cautiously stipulated for the possession of the forts of Kehl and Cassel, until the conclusion of peace; and therefore that the Germanic Empire could not renounce the fortresses of Ehrenbreitstein as a fortress upon the principle of perfect reciprocity; that, besides, he did not argue for new stipulations, but only proposed to carry into complete execution the convention concluded between the respective generals at the armistice; and that the effect of such convention was, that there should be no obstacle to the restoration of Ehrenbreitstein; that the French government would act contrary to the

the principles of justice and equity, if they opposed the restoration of that place at the certain prospect of conciliation, and at a time when the negotiations were near a conclusion. The minister Bonnier replied, that the state of things was exactly what the Count de Metternich required, inasmuch as the republic was in possession of the forts of Kehl and Cassel, and Germany of Ehrenbreitstein ; therefore, that they were upon an equal footing. To this strange observation it was replied, that certainly such was the state of things at the time ; but was it to be supposed that a place, after having been vigorously maintained from the commencement of the war, would necessarily surrender at the end of it, especially when the means of repairing it were considered ? that the proposition they had made was inapplicable to the present time, but was referable to a future period ; and that it was important to give effect to a principle, the justice, equity, and perfect reciprocity of which had been demonstrated by evidence. Citizen Bonnier added, that the Empire should make peace, and then the basis agreed upon would be fully executed ; that the French government would furnish proofs of its good intentions, and of the loyalty of its conduct ; that orders were given for the retrograde march of the French troops on the right bank of the Rhine ; that every step would be taken to restore comfort to the country ; and that all depended on the restoration of peace. He concludes by saying, that the republic had made great sacrifices to attain this object, but that it was necessary to maintain its dignity and political consequence, principles from which it never departed.

The Count de Metternich replied, that the same principle was common to all governments ; and he could not avoid frankly observing, that it was particularly upon the faith of treaties and conventions that the political consequence of a government depended ; and it was upon this consideration he claimed the restoration of Ehrenbreitstein.

The minister Bonnier then warmly insisted upon all he had advanced, giving reiterated assurances of the pacific intentions of the French government, and expressing his wishes that the first answer of the deputation should tend to the definitive attainment of peace, without entering into discussions of too extensive a nature, the French government being already fatigued, and not wishing to make new concessions. He further desired that the period should be stated when an answer might be expected.

Citizens Jean Debry and Roberjot from time to time took part in this conversation, but merely to support the assertions and answers of their colleague Bonnier. Count Metternich put an end to the conversation, by saying that he flattered himself he should in a few days have it in his power to transmit them the result of the latest deliberations of the deputation of the Empire, in which,
doubtless,

doubtless, the objects relative to Ehrenbreitstein would be fully detailed.

Rastadt, Oct. 14, 1798.

Substance of the Vote of Austria in the Sitting of the Deputation of the Empire of the 11th of October.

A SINCERE love of peace makes it impossible to forbear remarking that it was much to be wished that, in a diplomatic and official act that ought to accelerate peace, and tend, in all probability, towards its conclusion, there should nothing have appeared to betray even the appearance of a menace of introducing French principles; an attempt which is contrary to particular declarations that have hitherto been made, and in which was manifested a determination to steer clear of any such design.

This very threat already stamps a character on the thing itself, and it ought to excite the attention of every state, and consequently compel them to adopt corresponding measures. The French constitution itself ordains respect to the forms of government that differ from its own; and menaces serve only to propagate eternal seeds of distrust. The happiness of the people in and under every government, is the first law; and in a state where they maintain their authority, where justice admits no distinction of ranks, of dignities, or of fortune, the people may enjoy a durable welfare and a genuine liberty, which can leave no other desire ungratified.

There is also too much confidence reposed in the French government, to permit the possibility of imagining that it should entertain the design of giving further disturbance on that score to the tranquillity of Germany, or of retarding the coming and near approaching hope of peace.

Such a threat would also insinuate that advantage might be taken and acted on, of the declaration of nations who find themselves placed under a mild government, who labour under no violence, or who may themselves be forced to accept a form of government, though the voice of the people exists in every state, and though it be properly what is called the will of the public.

Substance of the Conclusion of the Deputation of the Empire, 15th of October.

THE deputation of the Empire resolve, that the following answer shall be returned, in conjunction with the Imperial minister plenipotentiary, to the note of the French legation of the 3d of October.

The

The renunciation of the territories of Kehl and Cassel, which the French plenipotentiaries have pledged in their note of the 3d of October, the deputation of the Empire consider as the most agreeable proof that the French government seriously intends to meet the desire so often manifested by the deputation, of a speedy conclusion of peace. They therefore lose not a moment in accepting with pleasure this renunciation, so long wished, of all fortified places and points of contact on the right bank of the Rhine, and they hasten to communicate to the French plenipotentiaries in a detailed note, observations on every point in their note, in the firm hope, that although they differ in some respects from the proposed determinations, yet the new explanations with which this agreement is supported, will be taken into proper consideration by the French ministers, in order to facilitate the great object of absolute conciliation.

1. With regard to the barrier of the Rhine, it has always been understood that the Thalweg would every where form the boundaries of the two states, and that by the Thalweg was to be understood the middle of the principal and navigable course of the Rhine. At the same time, as by this division the Prussian island of Buderich, situated near Wesel, on the Lower Rhine, would belong to France, the court of Prussia has several times formally insisted on retaining possession of this island, which contributes to the safety of the city and fortress of Wesel, the deputation entertain hopes that the French government will accede to the desire of Prussia, which coincides so closely with the interest of the Empire, and that it will allow this island to remain attached to the German part.

With regard to the islands in the Rhine, it has already been agreed in notes exchanged, that the islands on the right side of the Thalweg should belong to the Empire; those on the left side to the French republic. Subsequently likewise, the particular demand made in the French note of the 19th July, that the changes which might take place in the Thalweg should occasion no change in the rights of sovereignty over the islands, has also been acceded to. It has been agreed that they shall continue according to their present division of French and German, even although they should happen to be thrown upon the other side of the Thalweg. The ministers plenipotentiary of the French republic, in declaring in their last note that the French republic would never cede any possession to the Empire, or any of its members, on the left side of the Thalweg, probably did not intend to recur to what had previously been decided; and the import of this declaration doubtless alludes only to the course of the Rhine from Hunninguen to the grand bailiwick palatine of Guernersheim, where the Rhine had previously formed the boundary between Germany and France, and where the reciprocal reserve has been made of
 1 France

France retaining the islands on the right of the Thalweg, which at present belong to her. But as the actual cession of the left part of the Thalweg to the French republic properly begins near the grand bailiwick of Guernersheim, as the first point of the conquered country on the left bank of the Rhine, and not at the point where Germany was previously contiguous to France, the French government will surely make no difficulty in leaving things in the state in which they stand at present by the treaties and conventions relative to this part of the Rhine and its islands, and particularly to maintain the communes on the right side which possessed any of these isles on the left side, in the full enjoyment of them, without interrupting their taking such wood as might be necessary to support the bank.

Concerning the free navigation of the Rhine, the deputation had already more than once manifested their consent, by agreeing that it should be free to both nations. This consent was at the same time accompanied with a wish that an arrangement should be made jointly with Holland, to secure the navigation of the Rhine to its mouth; but the French ministers plenipotentiary have lately declared, that they could not at present accede to this desire of the deputation. As such an arrangement with Holland would be of great importance to the Empire in a commercial view, the suppression of the tolls imposed by the Batavian republic may be productive also of some advantage, at least till the Germanic Empire, in the interval of the time fixed for the suppression of the tolls on the Rhine, shall have agreed with the Batavian republic upon some plan for a similar suppression of the tolls on the Rhine.

On the subject of the road used in towing vessels, the deputation may consent to the suppression of this addition proposed, according to what necessity and the case may require, especially as the road used for this purpose is at present as wide as it used to be.

The consent given on the subject of the transportation of materials from the left bank to the right, cannot apply to the keeping up of the road for towing, but to the support of the bank; and it is hoped that the internal arrangements of the republic will not prohibit these materials from being obtained for so useful and public a purpose.

It is agreed that the suppression of the tolls of passage of the Rhine shall be stipulated in the treaty of peace. It is only desired, that instead of six months, a period too short for any new establishment, there should be fixed, at least for the accomplishment of this suppression, the term of a year after the exchange of the ratification of a treaty of peace.

2. The French ministers plenipotentiary have, for the first time, demanded in their note that the toll of Elsfleth, on the Weser, shall be suppressed in favour of the French republic. As this

this toll belongs to the Counts, now Dukes of Oldenburgh, confirmed to them by the 10th article of the treaty of Munster, is situated in a part of Germany not occupied ; and as the deputation of the Empire can decide nothing on this point, it is left to the French republic to make an arrangement with the house of Holstein Oldenburgh.

The French ministers plenipotentiary have at the same time interposed to preserve the constitutional existence of the Imperial cities of Hamburgh, Bremen, and Frankfort. The preservation of these cities, and all other Imperial cities, is of the greatest consequence to the Empire in the way of its commerce. All the free Imperial cities, which form the third body of the Germanic union, are, in virtue of the constitutional connexion, under the protection of the laws with regard to their ancient constitutions. The deputation of the Empire considers it as one of their first duties, as much as lies in their power, to watch over the preservation of the states of the Empire and the Germanic body ; and to comprehend, in the expression of the wishes of the French ministers, all the states of the Empire and those dependent on it.

3d. On the subject of commercial bridges it is agreed, that those which have hitherto existed on the Rhine, shall continue to be re-established and supported at the charge of those at whose expense they have always been upheld. With regard to those bridges which from this moment only shall become common, such as those between Mentz and Cassel, each bank shall be obliged to maintain that which is situated on their side of the Thalweg of the Rhine. With regard to the commercial bridges, which in future may be constructed according to an arrangement mutually to be made between the opposite banks, it is impossible generally beforehand to give the consent of the Empire necessary for this object, which must ever be regulated by advantage and necessity.

4th. The proposition of the French ministers, that the dependencies of ecclesiastical establishments situated on the left bank, shall belong to the Empire, is agreed to ; and this disposition is understood to extend to all pious foundations, and particularly to hospitals, charitable establishments, universities, and schools, under reservation of the particular arrangements and treaties existing, or which may be made on this subject. The deputation are convinced, that by these means the difficulties with which every other mode would be attended will be entirely removed. At the same time, however, in order to adhere to the principle which has been adopted in its utmost extent, the moveables of all these corporations shall belong to the banks of the Rhine on which they are at present placed ; and the active hospitals, which are at present dependencies of them, shall belong to the bank to the use of which they are applied, and where the creditor has at present his fixed residence.

With regard to the demand, that the state of the Empire in the countries where these dependencies exist, shall have a preference in the acquisition of them, the deputation will make no remark on the subject. It is evident, however, that a state of the Empire cannot gratuitously appropriate these effects, and that all the property, revenue, or capital of ecclesiastical or lay foundations on the left bank (which, according to the constitution of the country, or because they have been destined to the general advantage, cannot be transported to the right bank), shall be applied to other necessary purposes, and particularly to form a just indemnification for the pious establishments on the right, which proportionably would lose too much of these revenues on the left bank, as well as to particular compensations, and shall for this purpose be consolidated into a mass. Only it would be just and reasonable to make an exception with regard to establishments in favour of widows and orphans; and the French government of itself has resolved to take away nothing from those institutions, but to secure them their revenues and other property, and accordingly to decree, that establishments of this kind, which exist in the countries ceded, shall be kept up in favour of those who derive benefit from them; that with regard to those which are in the countries which shall not be transferred to the French republic, their funds and capitals shall be divided among the sharers in proportion to their number.

They consider it one of their most sacred duties to exert every endeavour in favour of so many Germans, to whom in general nothing can be objected but their steadfast adherence to their former government and sovereigns. This can the less be objected to Germany as a crime, since they feel the value of that government too well, to be easily captivated by new political institutions. The deputation, therefore, flatter themselves, that the principle of general inapplicability of the laws relative to emigration will be recognised by the French as far as Germany may be concerned.

8th. It is required that the French republic shall entirely withdraw all her troops from the right bank of the Rhine, restore the constitutions, and perform without delay the convention respecting the revictualling of the fortress of Ehrenbreitstein.

9th. The deputation are ready, in the further conclusion of peace, to renounce all rights and claims which the Empire may have on the territories which may then be ceded to France, and likewise to extend this renunciation to Savoy and the late Austrian Netherlands, which, by the treaty with the King of Sardinia and of Campo Formio, are to be given up to France. With regard to the Frickthal, they must refer themselves to their former explanation of the 10th of August. Previous to any thing of this kind, however, it is necessary that the French government should come to some arrangement with the house of Austria, to which the Empire will not refuse its concurrence. The deputies are ready
likewise

likewise to give up their titles and pretensions to those Italian territories which, by the treaty of Campo Formio, belong to the Cisalpine republic.

To the 10th article it is replied, that it had already been agreed that the fortresses of Kehl and Cassel should be dismantled, and the deputation would give likewise the further assurance, that on the site of these places, and within the distance of 3000 toises from the right bank of the Rhine, no fortification shall be erected.—Several details of compensation which this article will occasion, to be settled on the final conclusion of peace. The deputation conclude with the assurance that they will exert every endeavour to attain a speedy and honourable peace, and that they will give no well-grounded cause for the rupture of the negotiation.

*Decree of the Imperial Commission to the Deputation of the Empire,
October 17.*

THE Imperial commission, assessors to the deputation of the Empire, approve the conclusum of the 15th, adopted by the deputation of the Empire in answer to the French note of the 3d.—The commission see with real pleasure that, among other things, it contains the new demand made respecting the revictualling of the fortresses of Ehrenbreitstein, agreeably to existing conventions; and in conformity with the conclusum, they this day transmitted the counter note, a copy of which is annexed, to the French ministers plenipotentiary.

The commission likewise communicate some observations which so intimately concern the position of the fortresses of Ehrenbreitstein, that they cannot fail to produce an immediate effect on the extension which it may be necessary to give to the said conclusum on this point.

Astonished at the absolute silence which the ministers plenipotentiary of the French republic have observed in their two last notes on the subject of the demands made with regard to the re-establishment of the fortresses of Ehrenbreitstein agreeably to existing conventions; convinced of the necessity of obtaining an explanation of the reasons of that silence; the Imperial commission thought themselves bound to hold a conference with the French ministers on the subject on the 14th, and, if possible, to obtain complete satisfaction.

In order that the deputation of the Empire may have a perfect knowledge of the application addressed to the above ministers on this point, in order to secure it from every false interpretation, and in order that the reply of the French plenipotentiaries should be equally accurate, the application was made in the form of a verbal note, the copy of which is annexed, and to lay it down as the basis of the conversation which took place.

The outline, the copy of which is likewise annexed, will show the result of that conversation.

The deputation of the Empire will then see what distinction the French plenipotentiaries wished to establish between that act of the Imperial commission on the one part, and the construction hitherto put on the conduct of the deputation of the Empire on the other part. This can only have arisen from their seeing in the said note irrefragable reasons, and the pressing demand for a positive answer, which probably they conceived that they had never discovered in the notes hitherto given in. But the present state of the object, as well as of the negotiation in general, has at length rendered both necessary.

The more the deputation of the Empire consider the connexion of things, the more they will recognise the necessity of preventing allegations and doubts to which they do not really wish to give rise, which are foreign from the nature of their own decisions, and which ought not therefore to have been formed. As from this moment it depends entirely on the deputation to manifest how nearly it concerns the Empire and themselves, that during the negotiations the state of possession should not be interrupted in a point singularly essential, by the continuation of acts contrary to treaties, and to the manifest prejudice of the Empire, the Imperial commission particularly refer this important object to the mature deliberation and decision of the deputation.

F. G. C. COUNT DE METTERNICH
WINNEBOURG BEILSTEIN.

Rastadt, Oct. 17, 1798.

Note sent the 19th of October by the Prussian Legation to the Deputation of the Empire.

THE undersigned ministers plenipotentiary of his Prussian Majesty have not been able to learn, without feeling a lively solicitude, that the Imperial minister plenipotentiary has been obliged to interfere in the most energetic manner with the ministers plenipotentiary of the French republic, both by a verbal note and private conference, relative to the final raising of the blockade of the fortress of Ehrenbreitstein; that, according to the summary of this discourse, transmitted by the Imperial minister, the hope of success is not yet as secure as might be expected, from the reasons of right and equity, so manifest and plain, that have been urged; and that therefore the deputation of the Empire have deemed it their duty to resume the consideration of this subject in the sitting which they held this day.

The undersigned are convinced that the deputation of the Empire, penetrated with a sense of the great importance of preserving, until the end of the negotiations, this post so honourably maintained,

tained, will renew, conjointly with the Imperial minister plenipotentiary, in the most energetic manner, the representations already made in preceding notes, and particularly in the last, for the purpose of bringing, on this subject, the French ministers to those sentiments of justice which we have remarked with pleasure in their declarations upon different points, though not yet carried fully into effect ; the more so, as a refusal on the present matter in dispute could not have any real fair motive or object, as the demolition of the fortress of Ehrenbreitstein has been agreed upon and decreed for the future. But until the very moment when this great sacrifice should be made to the re-establishment of tranquillity, the preservation of this post is of the highest importance, particularly for the safety of a part of Germany which is the object of the lively solicitude of his Imperial Majesty. The undersigned consider themselves, in consequence, obliged to give the deputation of the Empire to understand how much they wish to see their glorious efforts on this subject crowned with such success as may free them from all manner of anxiety.

(Signed)

GORZ, JACOBI, DOHM.

Rastadt, 19th Oct.

Conclusum of the Deputation of the Empire, of the 23d October.

THE deputation of the Empire on the 19th of this month expressed to the minister plenipotentiary of his Imperial Majesty, that he had resolved, in a particular note on the execution of the conventions relative to the restoration of Ehrenbreitstein, once more to insist on the demand which he had so energetically renewed in his note of the 17th of this month, in case he had not an immediate answer, or the answer was not acceptable. As the ministers of the French republic had hitherto transmitted no counter-declaration on the subject, the deputation of the Empire thought it its duty to address those ministers by a note in the following terms :

“ The deputation of the Empire has already, by its notes of the 10th of August and 11th and 23d of September, required of the ministers plenipotentiary of the French republic the execution of the military convention relative to the restoration of Ehrenbreitstein. Nevertheless, in the notes which the ministers plenipotentiary have transmitted in answer, there is contained no overture on the subject, much less any satisfactory declaration. It is in consequence compelled, by the importance and manifest urgency of the object, to renew the demand made in this respect by the deputation of the Empire in the detailed note, embracing all the objects of the negotiation, which was transmitted on the 17th of this month, and written in a manner calculated to inform the French ministers plenipotentiary of the particular price which the deputation attached to the exact and prompt execution of the military convention.

“ When

“When the formal terms of an agreement acknowledged by both parties imperiously speak in favour of this demand, and after the consent given to the demolition of the fortifications of Ehrenbreitstein, it were to have been hoped that the French ministers plenipotentiary would have acted accordingly, and taken the necessary measures, in order that the commander of the French troops on the right bank of the Rhine should not have opposed the restoration of the fortress of Ehrenbreitstein. But as to this moment nothing has confirmed this stipulated agreement, the deputation of the Empire is forced, by the extreme urgency of the object, to request the ministers plenipotentiary of the French republic to satisfy the demand relative to the restoration of Ehrenbreitstein, contained in its note of the 17th of October; and to make a prompt and satisfactory answer, even before the other points of the said note are answered, in case the multiplicity of the objects which it embraces does not permit them to attend to all of them.

“The deputation of the Empire trusts, after such repeated applications, that at length an answer will be given, which will have the effect of obviating that honourable uneasiness which the minister plenipotentiary has shown, and which the deputation of the Empire has constantly experienced for a place so important.”

Rastadt, Oct. 23.

Notes from the Ministers Plenipotentiary of the French Republic to the Deputation of the Empire.

FIRST NOTE.

THE undersigned ministers plenipotentiary of the French republic for negotiating with the Germanic Empire, have received a note from the deputation of the Empire, communicated to them the 17th of October by the minister plenipotentiary of the Emperor.

It is difficult, after having read this astonishing answer to the note of the undersigned, dated the 3d of the same month, to moderate the expression of the painful sentiments which it has excited. From the various and wholly unfounded difficulties with which it is filled, to the obvious affectation of incessantly questioning what has already been resolved upon; from the studied ambiguity on points even consented to; from that series of intercessions, little satisfactory, or wholly inadmissible, which occupy its entire pages; we do not know how to shut our eyes against views obviously dilatory, or avoid entertaining serious doubts on the real intentions of the deputation of the Empire. The French republic does not wish for war, but she does not fear it. She wishes to conclude a peace. Does the deputation only wish to be always speaking of it? The generosity of the French republic has exceeded all expectations; further concessions on her part must not be looked for.—

The

The undersigned persist in every thing contained in their note of the 3d of October. They assure the minister plenipotentiary of his Imperial Majesty of their sentiments of high consideration.

(Signed)

BONNIER.

JEAN DEBRY.

ROBERJOT.

Rastadt, Oct. 28.

SECOND NOTE.

THE undersigned ministers plenipotentiary of the French republic for the negotiation with the Germanic Empire, have received the note transmitted to them the 23d October inst. by the minister plenipotentiary of the Empire. Although the demand contained in this note, so far as it relates to the military, is not within the competence of the undersigned, they do not hesitate to refer on that subject to what they have already declared touching the retreat of the troops, and to assure the deputation of the Empire that, arguing favourably of the part it means to take, they are disposed on their side to embrace every object susceptible of modification or change: but they are forced to observe that nothing could more plainly prove the absence of a wish for peace, or indicate more sensibly further views, than that inquietude and continual solicitation on things, which peace alone can arrange completely, and to the reciprocal satisfaction of the two powers. The ministers plenipotentiary of the French republic renew upon this occasion to the minister plenipotentiary of his Majesty the Emperor, the assurance of their most distinguished consideration.

(Signed)

BONNIER.

JEAN DEBRY.

ROBERJOT.

Rastadt, Nov. 6.

Report presented to the House of Commons on the 9th May 1798, on the Treatment of Prisoners of War.

THE Committee to whom the Report was recommitted, which was made from the Committee to whom the several papers which were presented to the House upon the twenty-first day of March last, by Mr. Whitbread, from the Transport Board, and by Mr. Stewart, from the Commissioners for Sick and Wounded Seamen, respecting the treatment of prisoners of war, were referred, and who were directed to examine the matters thereof, and report the same, with their opinion thereupon, to the House; have, pursuant to the order of the House, made some alterations in the said Report, and some additions thereto, and have agreed upon the following Report, viz.

From the multiplicity of papers and evidence which it has been necessary to examine, your Committee have found it convenient, for the sake of perspicuity, to arrange the subject under the following

lowing heads: first, the treatment of the French prisoners of war confined in England—secondly, the treatment of British prisoners of war confined in France—thirdly, the steps taken by the British government for the establishment of a cartel of exchange; with the proceedings in both countries respecting Sir Sidney Smith, and of prisoners on parole.

After examining such of the papers and evidence as belong to the first head, it appears to your Committee that the British government, actuated by the most liberal motives, from the moment that the chance of war had made the prisoners of the enemy an object of public attention, was careful to provide such places of confinement as were most consistent with the internal safety of this country, and the general accommodation of the prisoners themselves; that in every instance the most humane regulations were framed for their treatment, both in the prisons and the hospitals; that medical attendance of every kind was provided in the most ample manner; that every reasonable check was introduced against fraud and imposition; and that the prisoners themselves were permitted, without restraint, to appoint inspectors of their own, with a view to the just delivery of the allotted rations; that complaints were far from being discouraged; and that the contractors, whenever liable to censure, were rigorously proceeded against and punished: and as the best proof that the prisoners had cause to be satisfied with their treatment in most instances, the same contractors as were employed by our government, have been continued since the superintendence has been transferred to agents appointed by the Directory of France.

It appears that, from the commencement of the war to the 1st of January 1796, the care of the French prisoners was vested in the Commissioners for Sick and Wounded Seamen. The principal prisons in England were, Portchester and Forton, near Portsmouth; Plymouth; Stapleton, near Bristol; Norman Cross, near Stilton, was not built till April 1797; Liverpool; Rosko and Kerguillack, between Penryn and Falmouth; besides other places of temporary confinement, and prison-ships at different ports. The regulations adopted were the same as in the two last wars, both with respect to prisoners in health, and the sick. The daily rations of provisions for prisoners of the former description were, one quart of beer, one pound and half of bread, one third of an ounce of salt, three quarters of a pound of beef, except on Saturdays, when four ounces of butter or six of cheese were substituted; half a pint of pease four days a week. When greens were issued in lieu of pease, each man's allowance was one pound of cabbage, stripped of the stalk, and fit for boiling.

These rations varied occasionally, as circumstances required. In May 1795, on account of a temporary scarcity of fresh beef, it was withheld two days in the week, and salted provisions supplied

plied in lieu; and in August 1795, on account of a scarcity of bread, the quantity of that article was diminished for a time, but the deficiency was made up by additional pulse or vegetables. Upon any complaint of consequence, a visitation was made by a Commissioner of the Board, to the spot where the complaint arose, for the sake of inquiring into it, and if well founded it was instantly redressed.

As an additional check upon the agents and contractors, among the rules which were hung up within the prison, in the language of the prisoners, was a scheme of the rations of provisions, which were subject to the inspection of a committee appointed by the prisoners, and selected from themselves. A contractor at Falmouth, who had failed in his engagement, was sentenced to be imprisoned six months in the county gaol, and to be fined 300*l*.

The agents and surgeons at all the different prisons were furnished with instructions, from which they were in no instance to deviate, without applying to the Sick and Hurt Board. In addition to the prison surgeons, others were selected by the Board from among the prisoners; and tea, sugar, fruit, and porter, having been added to the diet for sick British seamen in our hospitals, the same articles were added to the diet for sick French prisoners. In the prisons each man was allowed a hammock, paillasse, bolster, and blanket or coverlet. The straw of the paillasse and bolster was changed as often as occasion required. The bedding in the hospitals was the same as in the hospital for British seamen.

In December 1795, Mr. Charretié, a Frenchman, who had resided some years in this country, was appointed by the French government their agent for the care of French prisoners. He was furnished by the Transport Board with the means of inquiring into the state of the prisons, was suffered to visit them whenever he thought fit, and was provided with lists of the persons confined in them as often as he required it.

On the 11th of January 1796, the care of prisoners in health was transferred to the Transport Board, the superintendence of the hospitals still remaining under the Sick and Hurt Board. The same regulations were observed, and the same allowance of provisions adopted, as had been formerly. Nothing particular appears to have occurred relative to the prisoners during that year. In January 1797, orders were given to captains superintending prison-ships at Portsmouth and Plymouth, to visit them often, as well as the prisons, to hear all complaints, and to report once a week to the Admiralty. In March, the Board stated to Mr. Charretié, that the French prisoners were in want of clothing (which it had been agreed was to be provided by France), but said that the Board, from motives of humanity, had supplied a considerable number with clothes, and requested him to urge his government to repay that expense. No answer seems to

have been returned to this application, nor does it appear that any clothing was provided by France. In June, Mr. Charretié visited Portchester, where, on account of the mutiny which then prevailed in the British fleet, and a suspicion that the mutineers meant to put arms into the hands of the prisoners, who betrayed a strong disposition to disturbance and insurrection, it was thought necessary to enforce stricter discipline. It was found requisite for this end to prohibit the market which had been allowed to be held, for the purpose of putting it in the power of the prisoners, by disposing of various articles which they manufactured, to supply themselves with vegetables and other little comforts at their own expense. It must be observed, that they had their usual allowance of provisions; but some complaints arose, from impositions in the price of bread and milk, which were clandestinely brought into the prison by the turnkeys, and sold. These complaints proved trivial and of no importance.

He next went to Plymouth, where the only complaint he heard was of the quality of some of the provisions; but this was redressed by application to Captain Lane, the superintendent of prisoners.

Your Committee beg to observe, that Mr. Charretié states as a general observation, that the provisions furnished were inferior to the price paid by Government, and that at Falmouth, particularly, they were eighty per cent. below the contract price; but he produces no proof or document whatever to confirm so extraordinary an assertion, and differs so entirely from the other evidence before the Committee, as not to be entitled to any credit.

At Falmouth, he states the treatment of the prisoners to have been negligent, and the bread made with bad corn, mixed with chaff.—In consequence of his complaint, Captain Lane was sent to investigate the matter, and reported to the Board, that the contractor had sometimes given bread of inferior quality, but never mixed with chaff:—that whenever a just complaint had been made, the articles were always returned upon the contractor's hands, to his loss.—In a case of greater importance he had been prosecuted. As the agent or his clerk was always present at the delivery of provisions, and the same regulation of a committee of inspectors existed there as well as at other prisons, there is no reason to suppose that the abuse often took place. Your Committee beg to observe, that the Falmouth prisons being thought to be too far from the superintendence of the Transport Board, the prisoners were removed from thence about the end of the year 1797.

Mr. Charretié then went to Stapleton prison, near Bristol, where he heard other complaints, which, upon investigation, proved to be but trifling quarrels, and were soon settled by a Commissioner sent down there.

It is worthy of remark, that in the whole course of the war, the complaints which have been made have proceeded from the French prisoners alone ; neither the Dutch nor Spanish prisoners, who were subject precisely to the same regulations, having ever shown the least discontent at the mode of treatment.

About August 1797, the Transport Board again proposed to Mr. Charretié, that each nation should clothe its own countrymen, and afterwards requested that a sum of money, which had been remitted from France, might be appropriated to supplying the French prisoners with clothes, of which they were much in need. The Board even offered to supply them at the contract prices, for his bills upon Hamburgh, or any neutral town.— Their offer was declined on account of some objections in the colour and quality of the articles.

On the 4th of September a revolution in France took place, and since that period it seems to have been the object of the French government to irritate the minds of their countrymen against Great Britain, by misrepresentations of the treatment which the prisoners underwent in this country. A paragraph appeared in the *Postillon de Calais* of October 16, giving a false account of the situation of the prisoners in Portchester Castle : this was contradicted by the agent at that place, as well as by a certificate from the English and French surgeons employed there ; and Mr. Charretié himself, being called upon by the Transport Board to refute this calumny, acknowledged the falsehood and impropriety of the paragraph.

Mr. Charretié, however, appears to have wished to second these views of the French government ; for in November he wrote to the Commission of Exchange at Paris, stating, that at Norman Cross prison, out of nine thousand prisoners confined there, three thousand were sick for want of clothes, and other necessaries. This representation produced a strong effect in the public mind in France against this country ; but upon the British agent inquiring into the truth of the statement, Mr. Charretié was induced to contradict his own assertion.—From the evidence of Captain George, First Commissioner of the Transport Board, and the certificates of the surgeons at Norman Cross, it appears that the prison at that place was not capable of containing even six thousand prisoners ; that there were at that time about five thousand two hundred ; and that the sick then amounted to one hundred and ninety-four, including twenty-four nurses, and never had amounted to above two hundred and sixty. It must be observed, that Mr. Charretié had the means of knowing all this, and that, previous to sending this account to France, he did not apply to the Board on the subject, though he was actually in London at the time. He acknowledged that he was furnished with a list of

persons confined at each prison, whenever he required it, so that he might easily have ascertained the falsehood of his assertion.

Your Committee see, with much concern, the newspapers of this country lending themselves to the views of the enemy. They must recall the attention of the House to the paragraph which appeared in the *Courier* of January 20, relative to the treatment of the prisoners at Liverpool, which produced an investigation by the mayor and magistrates of that town, and a report, in the highest degree satisfactory to the feelings of the persons concerned. It was with the same object of irritating the French against this nation, that the papers were stuck up in different towns of France, as appears in evidence before your Committee, asserting that the prisoners in England were fed with dead cats and dogs; and that when a person at Nantes, who was lately returned from imprisonment in England, contradicted this account, he was ordered to hold his tongue, and not dispute the assertion of his government.

The British government, being aware of the misrepresentations and groundless calumnies concerning the treatment of French prisoners in England, which were industriously propagated in France; and having received the most afflicting accounts of the accumulated hardships and sufferings of its own countrymen in the French prisons; taking also into consideration the circumstances of Mr. Charretié being allowed without restraint to visit the principal depôts of prisoners in England, while Mr. Swinburne, so far from having access to his own countrymen in France, was actually confined to one small town; seeing no end also to the evasive conduct of the French government in respect to the exchange of Sir Sidney Smith, was induced, in October 1797, to make to the French government a proposal, well calculated, in the opinion of your Committee, for remedying all the above evils; viz. That in future each nation should take upon itself the care of clothing, victualling, and providing medical attendance for the prisoners of its own country: this, it was added, would prevent the possibility of any suspicion of ill treatment on either side. It was further signified, that if the French returned no answer to this proposal, and persisted in their mode of treatment of Sir Sidney Smith (as will be explained in the third head of this Report), his Majesty would feel himself under the disagreeable necessity of reducing the allowance hitherto granted to all French prisoners (which was equal to that of British soldiers) to the limits strictly necessary for their subsistence; even that, it was stated, would be preferable to what too many of his subjects had in the prisons of France.

No answer was given to this humane proposal: a second application was therefore made to the French government; but that being also attended with no effect, on the 1st of December the rations of provisions of the French prisoners were reduced. The

daily allowance was one pound of bread, half a pound of beef, one quarter of a pound of pease, one third of an ounce of salt. When greens were issued in lieu of pease, half a pound of cabbage, fit for boiling, was allowed for each man.

This severity seems to have produced a good effect; for the French government were at last induced to accept the proposal; and Mr. Gallois, who came to England soon afterwards as successor to Mr. Charretié, was accompanied by Mr. Nettement, to whose special care the superintendence of the prisoners was entrusted, the expense being defrayed by France. It appears from evidence, that the same sub-agents are employed (except in one instance), and in general the same contractors who had been employed under the management of the British government. The daily allowance of provisions at present is one quart of beer, twenty-six ounces of bread, eight ounces of beef, two ounces of cheese, or one ounce and one third of good salt butter, one third of an ounce of salt, half a pint of pease, or half a pound of vegetables: each prisoner is allowed monthly half a pound of white soap, and three quarters of a pound of tobacco in the leaf.

It is but justice to the Commissioners of the Transport Board to say, that they have shown every disposition to co-operate in alleviating the condition of the prisoners, and that since this new arrangement has taken place, they have allowed Mr. Nettement the use of the bedding and clothes at the several prisons, and they have rendered him every assistance in the execution of his office.

In entering upon the second head of their inquiry, namely, the treatment of British prisoners of war in France, your Committee feel themselves under difficulties which may render this part of their Report less satisfactory than what they have before stated.

These difficulties arise, first, from the obstacles which the French government has always interposed to prevent the British agent from visiting the prisons, and which of course have prevented him from obtaining information on the subject of the treatment of the prisoners so accurately as might be wished: secondly, from the reluctance which, from personal motives, some of the evidence examined by your Committee have shown to have their names brought forward: and, thirdly, from the very delicate situation of those actually in captivity, from whom alone the most perfect testimony could have been derived, and who, if they remained unexchanged, must expect to have their sufferings increased in consequence of any complaints which they might prefer, or to have them relieved upon terms incompatible with their feelings as British subjects.

But even with these imperfect means of information, your Committee are convinced, that sufficient will appear to prove the rigour with which their countrymen have been treated, and the uniform

uniform spirit by which the French government has been actuated, contrary to the practice of the civilized nations of Europe in every former war. If your Committee were to extend their inquiries so far back as the time of Robespierre, they could bring forward evidence of atrocities of a most shocking nature, such as the poisoning of the water of prison wells, by which many lives were sacrificed, and other similar enormities; but as the transactions of that period are but too well known, it will be sufficient to relate what appears to have been the conduct of the French towards their prisoners since their government has taken a more regular form. In November 1796, Mr. Swinburne was appointed agent at Paris for the relief of prisoners:—he signified to the French government, that his instructions were to visit all the prisons, and administer relief to such prisoners as were in need; and although he added, that this indulgence was allowed in the fullest extent to the French agent in England, yet this application seems to have been totally disregarded or evaded, so as to preclude him from the means of obtaining any personal knowledge of their situation and circumstances. How far the language of condescension which Mr. Swinburne used in these circumstances, might contribute to increase the haughtiness of the French government, your Committee do not presume to determine; but they feel it a matter of deep regret, that a conduct was not held during that period, of which the enemy could have taken less advantage. The first paper relative to the treatment of prisoners before the Committee, is a letter from a merchant at Dunkirk to Mr. Swinburne, giving a melancholy account of the persons imprisoned at Air; he states, that forty sick were pent up in a small room with the prisoners in health, without permission to enjoy the benefit of the fresh air, and that numbers died daily from the filth and stench. From subsequent papers and documents it appears that the treatment of British prisoners in most of the prisons was bad. At Dunkirk few blankets could be obtained for them, and at Amiens none at all.—At the latter place the British agent found it necessary to order bedsteads of rough planks, raised from the ground, to protect the prisoners from the damp, and the expense of which was defrayed by the British government. At Pontanezan prison, near Brest, sixty masters of merchant-ships and passengers were confined with about nine hundred seamen; they were not allowed to go into the open yard, and their confinement was aggravated by the brutal behaviour of the commissary, and by a want of provisions and necessaries.

A declaration, signed by three respectable persons, confined for four months, in the beginning of 1797, in Pontanezan prison, states the daily allowance from 10th January to have been sixteen ounces of biscuit, of a bad quality, full of vermin and mouldy, two ounces of rotten salt beef or pork.—(This allowance ought

to have been two pounds and a half, but a mess for seven persons has been known to be only fifteen ounces, and of that nearly half bone.) Their pease-soup consisted of hot water with a few horse-pease. From February 20th, in lieu of sixteen ounces of biscuit, about four ounces of rice were delivered out, together with ten ounces of black bread; and during that time many were ill and some died, which was attributed to the copper vessels, in which the rice was boiled, not having been properly cleaned. From February 1st, in lieu of salt meat fresh meat was allowed, which was nothing but carrion.—The soup was made with the meat before it was given out.—No vegetables of any description were delivered out to the prisoners, and during the above period of four months, at least two hundred persons died, chiefly of the scurvy, arising from the badness of the provisions. From nine hundred to a thousand were confined in a room thirty feet wide, and from three to four hundred feet long; one hundred daily were allowed to go into the open air. Accounts of similar treatment have been repeatedly received.

Remonstrances were made to the Commission of Exchange on the scanty allowance of provisions; and the agent was answered, that “If the situation of the finances of the republic did not admit of the prisoners receiving the whole of what the law allowed them, it was not less true that they experienced in that respect the benefits of the solicitude of government.”

This evasive language affords strong ground to suspect that the distressed situation of the British prisoners was not without an object on the part of the French government; and this suspicion is confirmed by its appearing, from evidence delivered in to your Committee, that every effort was made to induce the British seamen to go on board the French fleet, particularly at the time of the expedition against Ireland. The provisions allowed were purposely bad and scanty, the confinement rigorous; and during this state of suffering, the passions of the men were inflamed, by being told that their own country had given them all up for the sake of one man (Sir Sidney Smith), and that till he should be liberated, the British government would not consent to an exchange of prisoners. All efforts were used to inveigle them; they were frequently threatened to be starved, and at other times liquor was given to them, and advantage was taken of them when in a state of intoxication.

When the combined force of all these various temptations and incitements is fairly considered, it cannot be matter of wonder, that the constancy and courage even of British seamen should have sometimes yielded. Many were induced to enter into the French service, under the hope and promise of being landed in Ireland; and several applied to their own officers (prisoners with them) for leave to enter, but were refused. Three or four hundred

dred were debauched into the scheme, under the expectation of being sent home for exchange.

It might perhaps be imagined, that this arbitrary and unprincipled measure had arisen from the necessity of the moment, and the want of seamen in the French navy, had it not appeared that it is a part of the system of France to force subjects to serve against their own countries. And here your Committee cannot forbear referring to the instructions given by General Hoche to Colonel Tate, previous to his landing on the coast of Wales, in the beginning of 1797 (and which were found on his person), as tending to explain the conduct of the French towards their prisoners. Colonel Tate was ordered to encourage all deserters and prisoners to enter into the new companies (which were to be commanded by French officers); "should such prisoners refuse, he will shave their heads and eye-brows, and if they are taken again in arms, they are to be shot."

The system of ill treating and of oppressing prisoners was not confined exclusively to the English who were in the prisons of Pontanezan, Nantes, and elsewhere, but was extended to the officers who were on parole in the interior parts of the country. On their march from the sea-ports, they were not only obliged to pay their own expenses, but were also under the necessity of defraying the expenses of the guards who had the care of them.

In October the French stopped the allowance of clothing to the British prisoners, and about that time Captain Cotes succeeded Mr. Swinburne at Paris, with orders to visit all the depôts of prisoners in France. An *arrêté* of the Directory declared that he should be allowed, in the discharge of his duties, all the accommodations and facilities which the French commissary should receive in London; notwithstanding this, when he applied for a passport to go to Pontanezan, he was informed that it would be perfectly unnecessary, as the prisoners had orders to remove to the depôts provided for them by the new arrangement: these he understood were to be near Paris, though he could get no satisfactory answer to his question on that subject:—in the mean time the prisoners were labouring under heavy difficulties. It appears that they were at the mercy of the French agents, and, among other hardships, when their provisions were delivered out to them, the liver, lights, jaws, and part of the horn, and even the offals of bullocks, were included in their allowance.

On the 1st February 1798, the new agreement took place, by which each government was to maintain its own countrymen. A scheme of victualling was sent by the Transport Board to Capt. Cotes, by which the daily allowance to each person was one quart of beer, one pound and a half of bread, three quarters of a pound of beef (except on Saturday, when four ounces of butter, or six of cheese, were given in lieu), one-third of an ounce of salt; four times

times a week, half a pint of pease, or one pound of greens, prepared for boiling; each prisoner was allowed two ounces of soap per week. If good beer was not to be had, a quart of sound cider or a pint of wine was given in lieu. The meat was to be delivered to the prisoners in clean quarters, hind and fore alternately. Besides this allowance, the former one in money was continued. All British officers in the sea or land service, on parole, or in prison, were to be paid eighteen pence *per diem* in lieu of ration of provisions; and all other ranks entitled to parole, nine pence *per diem*, if they should prefer such allowance to the rations.

Captain Cotes, after much delay, learnt that the prisoners were to be confined at Amiens, Fontainbleau, Beauvais, and Melun, but he was positively refused permission to visit them till they were removed to those depôts; he was also refused information of the probable time of their arrival, before which he was not to enter upon his functions. It was promised, on the 6th January, that the removal should take place soon, but on the 9th February no steps had been taken to that effect, nor was it till the 5th or 6th of March that the prisoners left Pontanezan prison on their way to Melun.

It appears, from the most authentic documents, that they were ill able to undertake a march on foot of near five hundred miles, and that their ill treatment, during the latter period of their captivity, has equalled what they at first suffered. Officers of rank and common soldiers were all confined together; their daily allowance about two ounces of pork, and sometimes that quantity of salt fish of a bad quality, and their bread was full of bran and straw; and from the scarcity of food, and the want of medicines, numbers died daily.

The sick and dying were frequently robbed of their clothes by the attendants of the hospital; and it is hardly necessary to add, that whenever prisoners were landed, they were immediately plundered of their money, clothes, and valuables.

These details are shocking to humanity; but your Committee think it their duty to lay them before the House, as coming within the limits of their inquiry; trusting that the care and attention of the British agent has by this time alleviated the sufferings of the prisoners.

Your Committee cannot conclude this part of the subject, without expressing their opinion of the great and important advantage arising to both countries, from the newly-adopted system of providing for the prisoners of each at the expense of their own governments. It appears to be a measure in the highest degree calculated to obviate all misrepresentation, complaints, and recriminations, and to prevent any increase of animosity between two nations, whose minds are sufficiently inflamed against each other.

The third and last head of this inquiry, viz. the steps taken by the British government for the establishment of a cartel of exchange ; with the proceedings in both countries respecting Sir Sidney Smith, and of prisoners on parole ;—contains much matter which is nearly connected with the two former. Your Committee however have endeavoured, for the sake of clearness, to keep it as a separate part of their inquiry, though they will be obliged, in some instances, to refer to what they have before stated ; they wish to give a concise account of facts, without turning the attention of the House too much to the variable and fluctuating sentiments of the government of France, which have interposed difficulties in the way of a mutual exchange of prisoners.

In May 1793, when the Commissioners for sick and wounded Seamen had the care of prisoners, all officers of the usual rank, both in the French and merchants' service, were admitted to parole upon the same allowance as during the last war, viz. one shilling *per diem* to commissioned officers, and sixpence to inferior officers : this was doubled when they were sick. In May 1794, it was increased to eighteen pence and nine pence.

In 1794, after the success of the British forces in the West Indies, several hired transports, chartered by the Navy Board, were ordered by Admiral Sir John Jervis, as cartels to convey French prisoners of war to St. Maloes in France, where, upon their arrival, they were seized by the French, and the crews made prisoners of war.

Notwithstanding the little encouragement which this violent proceeding held out for promoting a cartel, in March 1795, Sir Frederick Eden was sent to France to propose an exchange of prisoners, upon the known and customary principle, which had been adopted between the two countries in 1780, viz. man for man, and rank for rank, or for an equivalent in men or money. The proposal was referred to the Commissioners of Public Safety, and rejected, on the ground of the advantage which a restoration of prisoners would give to Great Britain, which was (as they said) evidently in want of soldiers and sailors, while France, which carried on the war with the mass of the people, had more forces than were necessary to complete the conquest of all her enemies.

Nothing particular appears to have occurred on this subject till January 1796, when the Transport Board undertook the management of cartels. Complaints were made by the masters of cartel ships, of their boats being taken away from them by the French guardships, and of the ships being sent back immediately, empty, without regard to wind or weather. Soon afterwards, Mr. Charretié entered upon his functions as before mentioned, and announced himself by a proposal to the British government, that all prisoners of both nations should return to their respective countries, and that the regulation of the exchange should be deferred till the

return of peace. This preposterous and unprecedented proposal was of course decidedly refused, as a balance of more than five thousand men was due to Great Britain upon the exchanges which had already taken place. Mr. Charretié promised that the French government should keep the balance down as much as possible, but still adhered to the proposition of a general and immediate release (as before stated) without regard to numbers.

On the 18th of April 1796, Captain Sir Sidney Smith was taken prisoner, while endeavouring to cut a vessel out of the mouth of the Seine, before Havre. The necessary measures appear to have been taken for effectuating his exchange for an officer of equal rank; and at the same time the French agent was informed, that if Sir Sidney Smith and his officers were released, any French prisoners of the same rank, who might be pointed out by the French government, would be exchanged for them; Captain Bergeret, of the *Virginie* frigate, was likewise allowed to go to France for that purpose; but he found, that though at first Sir Sidney Smith was regarded by the French government as a prisoner of war taken in arms, yet that it was afterwards thought proper to consider him in another light.

This event seems to have given a new turn to the negotiation on the subject of cartel; one side claiming his release on the principle of the law of nations, the other wishing to detain him upon a distinction which they have never thought fit fairly to define. He was conveyed to Paris, and kept in close confinement, nobody being allowed access to him; even the Swedish minister met with a refusal, when he applied for leave to visit him. All remonstrance on our part was disregarded, and all application for his release on parole ineffectual; and the care of him was transferred sometimes to the minister of justice, and sometimes to the minister of marine, it seeming never to be perfectly determined in what light he should be considered.

In the mean time Mr. Charretié persisted in the plan of a full exchange, and endeavoured to throw the blame of delay on the British government, for adhering so strictly to a principle of exchange which was to include Sir Sidney Smith. He delivered a projet, which was in great part approved; and in order to facilitate the measure of a cartel, and to remove all difficulties, Mr. Swinburne was sent to France in the same character and capacity as Mr. Charretié had been, but his mission does not seem to have had the desired effect.

Five months having elapsed since Sir Sidney Smith's captivity, and there being no appearance of the French relaxing in their severity, they were informed (through Mr. Charretié) in September, that unless he should be permitted to enjoy the privileges usually granted to prisoners of his rank, all the French parole prisoners in England should be ordered into strict confinement. Various

attempts were made by the British government to bring about an exchange of prisoners, and the most liberal offers were made for that purpose, but without effect.

In February 1797, Mr. Swinburne signed a preliminary convention, in which Sir Sidney Smith was not actually mentioned. He agreed to the proposals of the French government in every respect, except that which declared, that all the prisoners in possession of the power having the greatest number should be immediately released, and also that which related to the persons banished from the colonies; both which subjects being left by him *ad referendum*, were considered inadmissible by the British government, and the convention was never considered in this country as ratified.

In order, however, to meet as much as possible the views of the French government, as expressed in those two articles, Mr. Swinburne was directed to propose a stipulation, that the power possessing the greatest number of prisoners should release one thousand over and above the balance of exchange; and that if this should be consented to, and if Sir Sidney Smith should be included in a plan for general exchange, that a treaty should be immediately entered into.

In the beginning of April Mr. Swinburne was ordered to Fontainebleau, by a decree of the Executive Directory, which stated, "That the preliminary convention left nothing to be done but the measures required for the execution of it; and that this circumstance rendered the presence of the Commissary unnecessary at Paris."

The resolution of the British government was not made known to the Executive Directory till 15th August, and on the 28th they decreed, "That Sir Sidney Smith should be considered as a prisoner of war, and as such susceptible of exchange, and might be exchanged against a French officer of equal rank; but that the exchange was not to take place till the British government should not only ratify the article in the preliminary convention, which had been before objected to, but should, in consequence, send back to France at least four thousand French prisoners above the number that might be exchanged by the return to this country of all the British prisoners then in France; and that this advance of four thousand men should not be accounted for till a peace should take place."

This proposal was eagerly embraced by Mr. Swinburne, but of course rejected by this country; before, however, the refusal was known, the Directory took a step which left no doubt of their intentions; for they passed another decree, allowing indeed Sir Sidney Smith to write to the British agent, but declaring he should not be at parole till the stipulations of the preceding decree were ratified, and that he should not be sent to England till all the four thousand men had returned to France.

In answer to the stipulations contained in the two above-mentioned decrees, it was again proposed to the French government to establish a general cartel on the liberal terms which had been before offered, and they were distinctly informed that his Majesty would on no account agree to exceed the number therein offered of one thousand in advance upon the general balance of exchange; in case of a refusal, a positive demand of parole was made for Sir Sidney Smith: they were at the same time assured, that unless a favourable answer was received before the 25th of November, the threat which had so long been hung out would be put into execution, and on that day all the French officers on parole in England would be put into close confinement. This accordingly took place; and the French government having showed no disposition to relax in their treatment of Sir Sidney Smith, it remains so at present. A short time previous to this, the recall of Mr. Swinburne had been announced, and Captain Cotes had been appointed in his room. In one of his first interviews with the commissioners of exchange, it is curious to observe, that they insisted upon the balance against France (of seven thousand and nineteen men, to January 1st, 1797) being done away by the convention of Mr. Swinburne, though that convention had never been ratified by the British government.

Notwithstanding the repeated refusals of the British government to accede to the extravagant demands of France, yet it appears that another attempt was to be made. A proposition for a general and immediate exchange was made by the French government to Captain Cotes; and Mr. Gallois, who came over to England as successor to Mr. Charretié, repeated the application on the same terms as had been repeatedly rejected. As he did not appear to be authorized by the Directory to treat on any other terms, and as he had nothing to do with the care of the prisoners (another agent having been appointed for that special purpose), his presence in this country was deemed unnecessary by the British government, and till he should receive an answer from France, he was ordered to reside at the distance of ten miles from London. He immediately applied for a passport, and returned to France.

Such is the present state of the negotiation with France on the subject of a cartel. Your Committee must observe, that after the signing the preliminary convention of 17th February 1797, the French began to fit out cartel ships for carrying prisoners to and from this country; and in the summer of 1797, many British prisoners returned from France, in exchange for whom Mr. Charretié was indulged with permission to embark such French prisoners as he thought proper to select; but he having abused this permission, it was necessarily discontinued about the month of August, and the French have since claimed it as a matter of right. The result of the several exchanges which have taken place since

1st January 1797, either on British or French cartel ships, is, that a further balance of two thousand nine hundred and ninety-five men is due to this country since that period; so that the total balance in favour of Great Britain, since the commencement of the war, is no less than ten thousand and fourteen men, including a very great proportion of officers.

Having gone through the different heads of their inquiry, your Committee have come to the following resolutions :

Resolved, That it is the opinion of this Committee, that the charge of cruelty towards French prisoners of war, which has been brought against this country, is utterly void of foundation, and appears to have been fabricated and industriously supported by the enemy, for the double purpose of justifying their own ill treatment of British prisoners, and of irritating the minds of their countrymen against this nation.

Resolved, That it is the opinion of this Committee, that the British prisoners of war confined in France have been treated with a degree of rigour and inhumanity unwarranted by the usages of war among civilized nations.

Resolved, That it is the opinion of this Committee, that the British government has always manifested a desire of entering upon a cartel of exchange on the most fair and liberal terms; that it has even offered to accede to any which could be adopted, consistently with what is due to individuals and to the nation; and that the obstacles to a negotiation have arisen from the extravagant and unprecedented demands of France; and from the refusal, on our part, to abandon the customary and acknowledged principle of the law of nations, which has been grossly violated in the person of Sir Sidney Smith.

Extract from the official Orders of Colonel Tate, delivered to him by General Hoche, preparatory to his landing in Wales.

THERE will be placed under the command of Colonel Tate a body of troops, completely organized, to the number of one thousand and fifty, all resolute, determined men, with whom he may undertake any thing: they are to be called *La seconde Legion des Francais*.

The destruction of Bristol is of the very last importance, and every possible effort should be made to accomplish it. For this purpose it will be proper to reconnoitre the mouth of the Severn in the day-time, and to sail up the Avon at night-fall, within five miles of the town, where the landing should be made, on the right bank, in the greatest silence; and the troops being supplied with combustible matter, Colonel Tate is to advance rapidly, in the dark,

dark, on that side of Bristol which may be to windward, and immediately to set fire to that quarter. If the enterprize be conducted with dexterity, it cannot fail to produce the total ruin of the town, the port, the docks, and the vessels, and to strike terror and amazement into the very heart of the capital of England.

The expedition under the command of Colonel Tate has in view three principal objects: the first is, if possible, to raise an insurrection in the country; the second is, to intercept and embarrass the commerce of the enemy; and the third is, to prepare and facilitate the way for a descent, by distracting the attention of the English government.

In all countries, the poor are the class most prone to insurrection; and this disposition is to be forwarded by distributing money and drink, by inveighing against the government as the cause of the public distress, by recommending and facilitating a rising to plunder the public stores and magazines, and the property of the rich, whose affluence is the natural subject of envy to the poor.

It is, notwithstanding, to be observed, that, however defective may be the morality of the English people, they have still a respect for the laws and their magistrates, even in the moment of insurrection; it will be therefore advisable to spare, as much as possible, the property of those who may be in any civil function, and even of the country gentlemen; and all impositions should be laid on the peers, the men of rank and high fortune, the clergy, those who serve as officers in the army and navy, and especially in the militia; of all such, the country seats, farms, woods, cattle, and corn, should be given up to be plundered by the people. These predatory excursions should be made in different, and even distant quarters, by detachments of two or three hundred men each.

The commerce of the enemy in the country is to be interrupted by breaking down bridges, cutting dykes, and ruining causeways, which is, at the same time, essentially necessary for the preservation of the army; by plundering all convoys of subsistence, the public stages and waggons, and even private carriages; the cutting off the supplies of provisions from the principal towns, burning all vessels and boats on the rivers and canals, destroying magazines, setting fire to docks and coal-yards, rope-walks, great manufactories, &c. &c. It is to be observed likewise, that by these means a crowd of artificers will be thrown out of employment, and, of course, ready to embark in any measure which holds out to them subsistence and plunder, without labour or fatigue.

The success of the expedition will likewise be materially forwarded by disarming the militia, by burning the arsenals in the sea-ports, by stopping the couriers of Government, by seducing the enemy's troops to desert, and by the terror which the success of
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the legion, and the progress of the insurrection, will carry into the bosoms of the unwarlike citizens.

In order to spread the panic as generally as possible, the legion is to be divided into several columns, having settled a common rendezvous, where they are to assemble every four, six, or eight days. The inhabitants must be obliged to serve as guides, and any who refuse are to be punished on the spot; the magistrates, or some of their families, are always to be employed in preference, on this service, that they may not accuse or punish the others.

All denunciations against those who join the legion, are to be punished with death. Wherever the legion, or any of its columns, is posted, if the neighbouring parishes do not give instant notice of the approach of the enemy, whether by ringing of bells, or otherwise, they are to be given up to fire and sword.

Colonel Tate will not omit to observe, that there are in England numbers of French, who will be eager to join him, such as prisoners of war, soldiers and sailors, privates in the English emigrant regiments, and a crowd of others, whom want, and the desire of vengeance, will draw to his standard. He may admit such Frenchmen into the legion; but he will observe to be on his guard, that the new-comers may not raise cabals or factions, especially if there should be among them any nobles or priests, whose ambition is only to be exceeded by their cowardice. Should any such attempt be made, he will take care to punish it most severely.

Colonel Tate will encourage all deserters and prisoners to enter into the new companies before mentioned: should such prisoners refuse, he will shave their heads and eye-brows; and if they are taken again in arms, they are to be shot.

(Signed)

L. HOCHÉ.

To Colonel Tate, on his military Operations and Marches.

WITH boldness and intelligence combined, you may easily possess yourself of Chester or Liverpool, which you will ruin, by burning the magazines, and filling up the ports, or at least you may cut off all communication between those cities and the interior. There is another object, which should likewise decide you to enter those counties, as you will be joined there by two other columns of French troops, to which you will unite that under your command, if the General commanding the expedition in chief shall desire it.

In order to spread the consternation and astonishment as wide as possible, after the destruction of Liverpool (for this point is capital), you must follow your blow, and seize upon some small town or sea-port on that coast, which you will lay under contribution.

Your

Your soldiers are to carry nothing with them but their arms, ammunition, and bread; they will find every where clothes, linen, and shoes; the inhabitants may supply your wants, and the seats of the gentry are to be your magazines.

In case your position should be, at last, no longer tenable, or that superior forces should compel you to quit the country bordering on the Channel, you must not lose an instant to join two French parties sent into the counties of York, Durham, and Northumberland. In that case, you must send me notice into Ireland, that I may be enabled to execute a diversion in your favour. An officer in disguise may reach me, either by seizing a fishing-boat on the coast of Wales, or else by the route of Scotland.

(Signed)

L. HOCHÉ.

Executive Directory.—Decree of the 13th Thermidor (August 2).

THE Executive Directory having heard the report of the minister of marine and the colonies; and considering that the news recently arrived from the French colonies and the continent of America, leave not a doubt that the French cruisers, of the *sai-disant* French cruisers, have infringed the laws of the republic with respect to prizes; considering that foreigners and pirates have abused that latitude allowed in Cayenne and the Antilles to neutral vessels, either armed or mercantile, by cloaking under the French flag their exactions, and violation of that respect due to the rights of nations, as well with regard to the persons as the properties of allies of neutral powers; decrees,

Art. I. That in future there shall not be delivered in the colonies of America, any letters of marque or reprisals, or permissions to arm, either as privateers or as armed merchantmen, except by the particular assent of the Directory themselves, who are not permitted to delegate their power to any one, and who shall not exercise the privilege vested in them, but in favour of those whose principles they shall be acquainted with, and who, moreover, shall be bound to conform to all the laws relative to prizes, and especially to that of the 1st October 1793.

II. All letters of marque or reprisal, or permissions granted in the colonies of America, by the particular agents of the Directory, or other civil and military agents under their orders, to arm, either as privateers or armed merchantmen, are considered as of no effect after the thirtieth day from the publication of this present decree in the French colonies.

III. Every agent, or person under him, in any of the neutral possessions, whose duty it is to judge of the validity of the prizes made by French cruisers, who shall be suspected of having any in-

terest, direct or indirect, in any of the privateers or armed merchantmen, shall be immediately recalled.

IV. The particular agents of the Executive Directory at Cayenne, St. Domingo, and Guadaloupe, shall be careful that the interests and property of neutral vessels are scrupulously attended to; and in no case shall they dispose of the cargo but at a fair valuation, and to the entire satisfaction of the contracting parties.

V. The said particular agents of the Executive Directory, the commanders of all the ships of the republic, the consuls, the vice-consuls, and all others invested with powers to this effect, shall arrest and punish, conformably to the laws, all those who shall oppose the present decree, which shall be printed in the bulletin of the laws, and with the execution of which the ministers for foreign affairs, of the marine, and of the colonies, are charged.

(Signed)

MERLIN, President.

LAGARDE, Sec. Gen.

Letter from the Minister for Foreign Affairs to Mr. Gerry, Envoy from the United States, written on the Occasion of transmitting him his Passport.

Paris, 24th Messidor (July 12), 6th year of the French republic.

EVER since I have flattered myself, Sir, with fulfilling the wishes of the Executive Directory, by using my efforts, in conjunction with yourself, to establish a good understanding between the French republic and the United States, I have endeavoured, not only in the conference I have had with you, but also in the course of our correspondence, to smooth the road, weigh all the advantages, and enter into a full discussion of whatever was necessary to convince you of the utility of your presence at Paris. It is in your quality of envoy of the American government that I would receive you, that I would write to you. It depends upon yourself to be publicly acknowledged by the Executive Directory. Without conforming to your opinion, as to the alteration which the departure of Messrs. Pinckney and Marshall has produced relative to the full powers to treat *separately*, with which I understand you were invested, it appeared to me that, in the situation in which you were placed, you were to refer the question to your government; and in the interval you were to settle all the points in difference, by a calm and amicable discussion with myself.

This procedure was the more natural, inasmuch as setting aside the certain knowledge your government had of the offer to treat with you, after the departure of your colleagues. My note of the 28th Ventose, which should have reached Philadelphia towards the end

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of Floreal, left no sort of doubt upon the subject. It contained three objects perfectly distinct. In the first place it pointed out, with that dignity becoming the French government, the mode of redressing the complaints of the United States, as particularized by their envoys on the 28th of the preceding month Nivose. It then represented the motives which concurred to prevent the negotiation being concluded with the envoys collectively. Finally, it solemnly declared the conciliatory disposition of the Executive Directory, its formal desire of renewing between the two countries the bands of their ancient friendship, and the intention of treating with you. A declaration so explicit was made for no other purpose than to furnish the President of the United States with the infallible means of an accommodation. It was a pledge of future peace. I presumed you would not delay receiving similar instructions from other powers, if they were necessary; or at least, if you had announced to the President of the United States your desire of returning to America, that another envoy would have been sent to have consummated the happy work which we had the satisfaction of preparing.

With hopes so justly founded, were connected considerations upon the inconvenience of your departure. I have made you sensible that, notwithstanding the assurances you gave me, no one can believe that it depended wholly on your own will, on an opinion of the invalidity of your powers, or on a desire of entrusting the care of the negotiation to other hands. I have intimated to you the conjectures which were raised; the part acted by the cabinet of Great Britain, which spares no means to reduce France and the United States to extremities by which it alone hopes to profit, and the suspicions conceived by the French government.—I have made you foresee the possible consequences of them. Many accidents have already retarded the union of the two republics.—It is allowed to that one which sincerely desires peace to be alarmed by new fears.

These considerations, of which I shall be ever proud, have made me resist the desire you have shown to quit France. You however absolutely insist upon it in your letter of the 2nd of this month. The Directory has in consequence authorized me to transmit you the passports you require for yourself and the vessel which is to convey you to Havre. You will herewith receive them.

May your return to the United States, and the communication of what has passed between us since you have represented your government, destroy the injurious opinion entertained of the hostile intentions of France. You have often repeated to me, since you urged your departure, that if you could not treat as an envoy, your good offices in the United States, in the capacity of a citizen,

should not be wanting. You cannot render the two countries a more signal service, than in contributing to place their political and commercial relations in concordance with their inclination and their interest. Assure your government, that the Executive Directory perseveres in the intention of conciliating the differences between the French republic and the United States, as soon as a fair occasion shall present itself. If it is true that the dispositions of your government are correspondent, let it give a proof of them, and be assured beforehand of success.

You cannot dissimulate, Sir, that, if there is not any thing to hinder you from perusing, in conjunction with me, the examination and conciliation of the griefs that divide the two countries, there is no occasion of delay for want of respective ratifications.

Who will doubt the sincerity of the French government, when it is known that for three months every proposition has proceeded from me: and that, faithful to the engagements made in my note of the 28th Ventose, I was the first seriously to press the negotiation after the departure of Messrs. Pinckney and Marshall?

I trust that it will not be said that the refusal to treat with them was a denial of conciliatory measures, when the refusal was accompanied with a promise to treat with you; and you by your full powers was authorized to treat separately. I will not cease to urge this point, because it is the basis of the opinion the government must form; and even admitting you were bound by secret restrictions, I could not, at least in my own mind, oppose that which I did not know from any other ostensible source of belief.

Yes, Sir, hardly was I informed of the departure of Mr. Pinckney, when I endeavoured in every conference I had with you to point out to you the urgency, the convenience, and the possibility of an active negotiation. I collected your ideas; they differed from mine; I sought to reconcile them. I was about to have transmitted propositions to you, when a message from your government arrived at Havre. You then appeared to prepare for your departure: till then I never conceived you had the design of embarking, till we had come to some agreement as to the definitive articles to be ratified by your government. A few days after, I received packets from Philadelphia, the contents of which instantly gave a different turn to my correspondence with you. The 2nd Prairial, I notified to you that the dispositions of the Executive Directory were the same, and I requested you to declare if you were at length in a situation to negotiate. The 30th Prairial, I transmitted you a complete plan of the negotiation. The 9th Messidor, I sent you my first note, discussing one of the points of our treaties which had not been executed in the United States. You declined answering it. The 18th of Messidor, I sent you two others. It was in vain I accompanied these notes
with

with the most cordial invitation to enter speedily on that series of discussion indispensable for the removal of our grievances. You have not even given me an opportunity of proving to you this liberality of the Executive Directory. Finally, you have never written except on the subject of your departure; and yet it is the French republic that is accused in the United States of not wishing for peace.

Perfidious instigators will insinuate that it has not always wished for it. I will refer them to the epoch, when, for the first time, symptoms of discontent were manifested; that is to say, on the arrival of the minister Genet at Philadelphia, in the month Prairial, the first year, a universal joy pervaded the United States on account of the declarations he was charged to make. He then expressed the amicable and generous intentions of the French government, which, strong in its own national energy, abstained from calling forth the aid of allies. Soon some of the measures gave umbrage; they were the effects of a zeal, ill adapted to local circumstances, and unhappily worse interpreted. The President made his complaints to France at the end of the same year. The Committee of Public Safety gave immediate satisfaction; and other agents arrived at Philadelphia the beginning of Ventose, the second year. Their instructions will bear the light of day; they were not to intermeddle in any party matters; to respect the government, to endeavour to maintain its neutrality with vigour, to repress whatever might tend to destroy it, and to maintain the rights assured to France by treaties. Such was the substance of them, and such also were the instructions given to the minister Adet, who replaced those agents in the third year. Certainly nothing could be more pacific.

In the mean time the rights of France were insensibly neglected; the most important clauses of its treaties were rendered insignificant; its vessels experienced the most discouraging vexations. England enjoyed in safety the advantage of the neutrality of the United States, which, with regard to too confident France, became a source of losses. A transaction clandestinely carried on finished the scene, by consecrating to the detriment of a friendly nation the pretensions of its implacable enemy. From that time there was nothing but adverse representations between the American government and the ministers plenipotentiary of the French republic, who could on their part not avoid making them: nothing but a correspondence in which acrimony gained ground more and more. The French government did not interfere; it remained quiet, in the hope that the self-interest of the United States would make them feel that England was drawing them into its vortex. Far from assuming an hostile attitude, it affected indifference, in order to manifest its patience with dignity. The crowd

crowd of complaints which poured in, compelled it to quit this character. It declared its grievances the 25th Brumaire, fifth year; and in order to provoke a negotiation too long deferred, it pointed out in the treaties between Paris and London the most proper means of hastening it. No view of aggression, no hostile intention, animated it. In order to obtain some justice from the United States, it placed them under the necessity of demanding justice themselves. Let us see if it has refused any honourable proposition.

Mr. Pinckney had set out before the declaration of the 25th Brumaire, which suspended the habitual relations. He came to replace Mr. Monroe, and, like him, to explain and palliate the conduct of the United States, without any special power for the negotiation demanded by France. He could not be received, since he was not in a situation to fulfil the conditions annexed to his political situation. The President of the United States thought it his duty to convoke extraordinarily the Legislative Body. I will not recall to mind his speech at their opening, nor the turn the debates took that session, but I will say the impression it made at Paris very unfavourably preceded the arrival of the envoys. This circumstance alone raised an obstacle, which should have been foreseen at Philadelphia. The envoys themselves not being willing to comprehend the natural effect of this kind of provocation, contributed to render the impression more lasting. It was, however, finally subordinate to the primitive desire of a sincere conciliation. You will find the proof of this in the expedient suggested of treating with you separately; for a government hostilely disposed, would not have adopted so delicate a step, which, at the same time that it preserved its honour, manifested its pacific intentions. You have, Sir, given me to understand, that it would have been proper for the Executive Directory to have supported the declarations I made you in its name, by a change of the measures which oppressed the commerce of the United States. I may assure you, that your government would have assured this object, by re-establishing the French republic in those rights which belonged to it by treaties. But let us be less scrupulous, and more equitable towards each other. Although the measures of France are only the consequence of those of the United States, you must have remarked in my propositions of the 30th Prairial, what the intention of the Executive Directory is, that their respective pretensions should be examined, and collaterally regulated. It intends by the same act to raise a lasting monument of the future friendship of the two republics, and the justice they owe to each other; and no idea of false glory enters its mind.

In taking leave of you, Sir, I have thought it my duty to you to offer you a testimony of my esteem. I could no otherwise do
so

so than by the freedom with which I have addressed you, and by expressing the regret I feel at your departure under the present circumstances.

Receive the assurances of my perfect respect.

(Signed) CH. M. TALLEYRAND PERIGORD.

P. S. of the 27th Messidor. A very serious circumstance, Sir, has retarded the sending this letter. I know not how it is, that, at every step towards a conciliation, some subject of irritation intervenes, and that it is always the United States who give rise to it.

For some days various advices have come to the Executive Directory. It seems that your government, overstepping all bounds, no longer uses any precaution to cover its designs.

A law of the seventh of last month authorizes the attack of every French ship of war, which shall stop, or shall intend to stop American vessels. A resolution of the House of Representatives suspends from the thirteenth of this month all commercial relations with the French republic and its possessions. Many plans of laws have been proposed to exclude the French, and sequester French property.

The forbearance of the French Directory has been shown in a manner the most unequivocal. Perfidy can no longer throw a veil over the pacific dispositions which it has unceasingly manifested.

It is even at the moment of this new provocation, which seems to leave it no honourable alternative but war, that it confirms the assurances I have made on its part. In the present crisis, it confines itself to a measure of safety and preservation, by laying an immediate embargo upon American vessels, with a proviso to indemnify them, if it can be done. It is still ready, and is as well disposed as ever to terminate, by a negotiation, the differences which subsist between the two countries. Such is its repugnance to consider the United States as enemies, that, notwithstanding their hostile preparations, it will wait until it is irresistibly impelled by actual hostilities.

If you must, Sir, depart, at least haste to transmit to your government this solemn declaration.

Letter from Mr. Gerry to the Minister of Foreign Relations of the French Republic.

Paris, July 25, 1798.

MR. GERRY having seen, in the *Redacteur* of this morning, the publication of a letter to him from the minister of foreign affairs of the French republic, dated the 24th Messidor, requests him

him to order a just translation of the answer dated the 20th of July to be also published.

Mr. Gerry being on the eve of his departure from Paris, presumes the minister will readily comply herewith, to prevent partial and undue representations against him in his absence.

Mr. Gerry's Answer to the Minister of Foreign Affairs' Letter of the 24th Messidor.

Citizen Minister,

Paris, July 20, 1798.

I RECEIVED on the 27th Messidor your letter of the 24th (the 12th of July), on which permit me to make some observations.

You allege that in the United States the French republic is accused of not wishing for peace; and to show that it was always desirous thereof, you recur to the arrival of M. Genet in America. Far from accusations of any kind, I wish to cultivate harmony between the two governments, as the solid basis of peace. From that epoch to the departure from the United States of Mr. Adet, the correspondence of the secretaries of state of the United States, with the French ministers in America, and the American ministers in France, contains the history to that time of the unhappy differences between the two republics, and evinces the sincere desire of the government of the United States, amidst the inevitable embarrassments resulting from the convulsed state of Europe, to preserve harmony and friendship with the French republic, and to perform with scrupulous attention the duties of neutrality. If by any unfortunate events France had sustained injuries during that term, still the manifest disposition of the government of the United States to justice and moderation, was a sure pledge of redress.

When Mr. Monroe was recalled, a minister was sent to supply his place, and you say he could not be received, because he was not in a situation to fulfil the conditions necessary for the renewal of the political connexions. Had he been received, he could have applied for other powers, if necessary. Nothing is more usual. The application which you have so strenuously urged on my part, must have been for the renewal of powers annulled by the act of sending away the other envoys: surely then your arguments would have applied with much force to the case of a minister, whose powers were only supposed inadequate to the object of his mission. The act of rejecting this minister, accompanied with circumstances of high displeasure on the part of the government of the French republic, could not fail to wound deeply the government of the United States, and to produce observations on such an

important event. Let the cause and effect be buried in oblivion ; the remembrance thereof cannot promote harmony. This you will readily accede to, when you consider the amicable and attentive conduct immediately adopted by the American government, in sending three envoys extraordinary, with adequate powers to effect a reconciliation and a renewal of the commercial intercourse between the republics.

From the arrival of the envoys at Paris to the departure of two of them, the objects of their mission were defeated by insuperable bars arising from demands of loans, which violating the neutrality of the United States, would have involved them in an immediate war, and of pecuniary preparations for the observations hinted at. Towards the end of that period, after imposing on me secrecy, you stated the embarrassments and dissatisfaction of the Executive Directory, on account of the opinions and conversations of my colleagues, its determination not to treat with them, and its desire to negotiate with me : and you added, that my departure would produce an immediate rupture. Astonished as I was at this communication, I informed you that I had no powers to treat separately ; the measure was impossible : and that, had my powers been adequate, a treaty made under such circumstances could never be ratified by my government. You differed from me ; we reasoned on the subject, and each adhered to his opinion. I urged in vain the unreasonableness of admitting prejudices against my colleagues without informing them of the causes thereof, the good effect of removing those which might result from such information, and the necessity of making known to them all that had now passed between us. You held me to the promise of secrecy, adding, that, if I would negotiate, we could soon finish a treaty, for the Executive Directory were not in the habit of spending much time about such matters. You desired another interview, in which, after a discussion of the subject, I confirmed and adhered to my determination.

In this state affairs remained for some time, and I flattered myself with the hope, that, failing in the proposition for negotiating with me separately, your next would be to accredit the three envoys ; in such an event, the secrecy mentioned would have been proper. This expectation was strengthened by the two subsequent interviews which they had with you ; and you may judge of my surprise on the receipt of your letter of the 28th Ventose, containing a refusal to treat with two of the envoys, and renewing the proposition to treat with one — Finding that I was the person alluded to, and that all hopes of our being jointly accredited were at an end, I again refused, in the most positive terms, to negotiate separately. Another proposition was then made, that, to prevent a rupture, I should remain here till information could be sent to my government of these events. Embarrassing as such a state was, I

submitted to it rather than bring on a war. You afterwards sent me your note of the 14th Germinal (3d April), proposing that I should resume our reciprocal communications upon the interests of the French republic and the United States.—To this I replied, on the 4th April, that I could only confer informally and unaccredited on any subject respecting our mission, and communicate to the government of the United States the result of such conferences, being, in my individual capacity, unauthorized to give them an official stamp.—The day after the departure from Paris of the last of my colleagues, I again addressed you, and quoting the above paragraph, informed you, that this I considered as the line of conduct well understood to be observed on my part; to this you made no objection verbally or by writing, and thus acquiesced in it: had you not, I should have immediately demanded my passport. At one of our first interviews after that letter, you stated a difficulty in adopting the plan proposed by my letter of the 20th of April, from your not being informed of the wishes of the government of the United States in regard to a treaty: these were so reasonable, that I thought it best to communicate them to you, and, according to your own opinion since expressed, they would require little or no time for discussion: nothing can exceed them for moderation or justice.

Believing that you were seriously disposed to bring forward the plan of a treaty for the consideration of the government of the United States, and being also convinced that the subject had been so fully discussed, and so well understood, as not to require much time to accomplish it; I informed you that I should embark for America in June; and although you objected to it in the first instance, you afterwards appeared to be fully convinced of the necessity of it, and promised to digest the plan proposed without delay, and to send it to me for examination. I conferred with you at different times on the expediency of sending a minister to Philadelphia, to complete the negotiation, and you promised to consider of it.

At length the *Sophia* arrived, and a few days afterwards you informed me that I might make myself quite easy; that France did not wish a war with the United States; that she had no thoughts of it; that the American affairs were then before the Executive Directory, and that every thing would be arranged to my wishes. I again stated the necessity of sending a minister to America to complete the negotiation; you said you would propose one to the Executive Directory. This I could not suppose was for the purpose you have since stated, of residing there after the ratification of the treaty.

Thus were matters circumstanced until the arrival of the gazettes containing the dispatches of the envoys to their government, which gave a more than momentary turn to your corre-

spondence with me. When I informed you that I should embark in the *Sophia* as soon as she could be fitted for the sea, there was still time to finish the plan of the treaty, and to send it by me, if expedient. You desired me to remain here; I told you my return was indispensable; and gave you no other reason—I thought that sufficient. You conceive it depended upon me to be publicly received by the Executive Directory; but our opinions are different on this point. A government sends three envoys to treat with another government; this rejects two of them, and proposes to treat with the third. Candour must admit, I think, that the latter cannot accept the proposal without transferring, in this instance, the executive authority of his government, who would only have nominated three envoys to the foreign government, which would have appointed one of them. You say that if my powers were altered by the departure of my colleagues, yet on my own hypothesis I ought to have referred the question to my government, and in the interim to have fixed with you, by a calm and amicable discussion, all the contentious points of our differences. If my government, as you repeatedly have asserted, was apprized before the 20th of March of the proposition to treat with me separately, it is evident that it was not disposed to send me new powers, for the *Sophia* sailed on the 28th of that month; and knowing this, you still urged me to make the application. I have been always ready, and, had you come forward with the project of a treaty, would have entered into a calm and amicable conference with you on every part of it, but not into a formal epistolary discussion, which was not proposed till some time after I was ready to embark, was only relative to the consular convention which will soon expire, was contrary to my stipulation relative to conferences in which you acquiesced, and would have required months to be completed.

You was the first, you affirm, to press seriously the negotiation; you will agree with me, that the merit would have been greater, had the measure itself been feasible. You frequently remind me of your exertions, which I am disposed as much as possible to appreciate; regretting, at the same time, their circuitous direction. On my part, I think you will be convinced, that every thing has been done, which circumstances herein truly detailed would admit.

It is with pleasure I learn that the Executive Directory is still ready, and is as much disposed as ever to terminate by a liberal negotiation the differences which subsist between the two countries. This disposition has always existed on the part of the government of the United States. A negotiation then, if set on foot free from all propositions of loans and explanations of speeches, to be held if necessary in a city of some neutral nation, and providing for a decision by three or five commissioners, of all points which may

not be determined by direct negotiation, would still be accompanied, in my opinion, with success; but, having no authority, I cannot make the proposition.

A preliminary measure appears to be requisite, in which the dignity of this government is as deeply concerned as the interest of the United States. The depredations, outrages, and cruelties committed on our commerce and citizens in the West Indies, and on our coasts, by French privateers, some of which it is said have no commissions, are seldom paralleled amongst civilized nations. It is said that this government has not been early apprized of these events, which have been a great source of irritation to the United States, and a principal cause of the repressive measures adopted by them. A recall of the oppressive commissions of the privateers, and restraining them by severe penalties to the proper objects of capture, cannot fail to have a happy effect.

You claim a promise of my good offices as a private citizen in America. These shall not be wanting to represent truly every measure of this government; and to render successful all such as may be well adapted to effect a reconciliation. This is all that can be expected of me, and the duty which I owe to my country will require it. And now, Citizen Minister, having given you a testimony of my esteem, such as results from a frank and candid conduct, I bid you adieu, wishing sincerely a speedy renewal of amity and commerce between the two republics.

Accept, Citizen Minister, the assurances of my perfect consideration.

E. GERRY.

Letter from the Minister of Foreign Affairs to Mr. Gerry.

Paris, 4 Thermidor (July 22).

PLEASE, Sir, to permit me to lay a particular stress on the two last paragraphs of your answer of the 20th instant, to my letter of the 24th Messidor. Easy as it may be to rectify the preceding ones, to attempt it would be returning to no purpose into the circle of digressions. It is but natural that I should feel what, under the existing circumstances, you imagine you owe to your government; and this consideration would alone suffice to stop me, if I set a less value on the attainment of a conciliation. You again observe to me, that the government of the United States has invariably been disposed to settle by arbitration the differences that subsist between the two republics. This new assurance, at a moment when it holds out the appearance of hostilities, cannot but moderate their effects; but let a sincere, loyal, and truly friendly act speedily realize these dispositions. Though they are far from being very prominent in the answers of the President to the
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the addresses that have been presented to him from the different parts of the United States, it is a pleasure to me to discover in these expressions nothing but political expediency. I do not however augur less favourably of the real intentions which you profess in its name; and I would not have requested you to guarantee the success of the first proof which it shall be willing to give of these intentions, if the Executive Directory that was ready to receive you had not adopted a fixed resolution in that respect. A negotiation may therefore be renewed even at Paris, where I flattered myself you experienced nothing but tokens of friendship, and where a friendly and honourable reception shall always await an envoy who possesses your good qualities. I am ignorant, moreover, Sir, why you should say it is necessary to lop off from this negotiation every preliminary reference to a loan, and every explanation respecting the speech delivered by the President. Do but take the trouble to peruse anew the propositions which I transmitted to you on the 30th Prairial; they contain all the ideas of the French government; and you cannot discover a word in them that justifies your recurring to those two questions. An odious intrigue had got hold of the business; the dignity of the government could not brook this interference, nor would it suffer the purity of its views to be degraded by such an association. As to the preliminary measures which you suggest, Sir, the government has already anticipated your wishes; informations which they have lately received, acquaint them, it is true, that acts of violence have been committed against the commerce and the citizens of the United States, in the Antilles, and on the coasts. Do them but the justice to believe that they need only to be informed of the facts, in order to disavow all the proceedings that were contrary to the laws of the republic, or to its decisions. These grievances are now about to be redressed, and orders are going out to the islands, to reduce every thing to its legal limits, till the moment arrives, when a friendly arrangement between France and the United States shall have respectively re-established the two countries in the enjoyment of their treaties. This moment, Sir, cannot arrive too soon. I cannot cease to regret that you have been so reluctant to forward it, convinced, as I always am, that you enjoyed full powers to that effect. Accept my best wishes for your happy voyage, and the assurance of my perfect consideration.

(Signed) C. M. TALLEYRAND PERIGORD.

*Petition of the Merchants and Ship-owners to the Provisionary
Executive Directory of the Batavian Republic.*

Amsterdam, August 9.

THERE is scarce any person among us who has not had occasion individually, from the number and pressure of his necessities, to address his bitter complaints to your bosoms, relative to the hostile and violent treatment arising from the rapacity of the French privateers upon the seas, rivers, and even in the harbours of the republic. The unlawful capture of neutral ships, the seizure and confiscation of the lading, which, as neutral or Batavian property, ought to be held sacred, the manifest and deliberate violation of our territory—these are the causes upon which our complaints for these six months past have been grounded. The perpetrators of these injuries, if we are well informed, are not even provided with letters of marque, and have been looked upon by the French garrisons in no other light than a band of pirates. What still augments our grief is, that these violations of our rights and our property have been committed by persons calling themselves French citizens, and whom it behoved to have acted as friends and brothers. These names, so dear to our hearts, we had already adopted, and we dared to flatter ourselves that our allies would have been equally struck with the danger which threatened the sacred bands of our alliance, as well as the manifest rectitude of our claims. We had fondly flattered ourselves, that our allies, who are surely not too great to be just, would ere this have been occupied with an investigation of these abuses, and the immediate remedy of them; but this hope still remains ungratified, and the evil increases.—The illicit practices are continued: indeed, so openly glaring and insolent are these violations of all right and justice, that, to say nothing of the total ruin of our navigation, the political and moral consequences resulting from them are such, that their bitterness not all the love of our country will be able to soften! We have already preferred our complaints to you individually, since which the partial evils complained of have become general, and have united us in the pursuit of redress. The avarice of French privateers has brought plunder to a regular system; we therefore come forward in a mass, and in the name of the whole committee, to claim all your vigilance for obtaining justice for our excellent colleagues. We present to your view the distressing picture; a picture which we however wish to consign to oblivion, but not to obliterate the crimes of our faithless enemies; for in presenting this picture, we only perform an inferior part of our duty; unhappily another portion more important still remains, which is, to denounce to you a system of piracy, unprecedented both in respect

to its object and its plan of execution. This unheard-of refinement in piracy, which must be chronicled in a year in which we were in alliance, and living in peace and friendship with the French nation, has been planned and executed in broad daylight, in the centre of our republic: in spite of and in opposition to our laws, consistent with this system, mercenary and abandoned privateers, who destroy our navigation, would complete its ruin, by fettering its last resource, viz. the trade of this republic. The vessels destined for these depredations are even fitted out in our own harbours. Even their own papers betray the fraudulent intentions of the owners. The French, who for some time since have been prohibited from engaging in the fitting out privateers in their own country, are received here with open arms. Here the muster-rolls are drawn up, here the letters of marque, &c. are distributed, and the agents of the French republic, residing at the different ports in particular, are privy to the fitting out of these hostile ships. But far from being intended to cruise against the enemy, far from running the least risk on this account; these slender vessels proceed undisturbed to the various places of their pretended destination. There they wait for their sacrifices; there they lurk for that which may escape the open hostility of the English. Yes, we tremble to say it (only truth and candour is the character of republicans), there can nothing escape the cruelty of these freebooters. How is it, Citizens Directors, that these abuses have been suffered to continue without interruption? Can any prudence restrain or check the laws against such proceedings?—or why are the laws suffered to sleep? Thus far we have considered the subject only in a political point of view. When it is looked at as a commercial object, a number of questions much more alarming will be the natural result. But we will not wound your bleeding bosoms by a more open display; the more so as the increasing decay of our commerce must ever be a subject of regret. No, Citizens Directors, the French Directory is ignorant of these piracies—they have been perpetrated without their knowledge—they have not even imagined that such hostile abuses could have existed. The sentiments which have hitherto animated them are proofs to us of their ignorance of our complaints, and this is at present our only comfort and support. The use you will make of this representation of our sufferings, and the denunciation of this system of rapine, are left to your pleasure and discretion. It is hoped the honest warmth, candour, and uprightness of true republicans will afford a still greater claim upon the good-will and esteem of the French Executive Directory. But it is not merely the disowning a handful of vile avaricious men, unworthy of the name of French citizens, that we are warranted to expect from the magnanimity of the French Directory, to whom their proceedings

ceedings have been hitherto unknown; it is not this alone that will answer the demands of a sound policy. No; we are moreover convinced that the excellent decisions of the first magistrates in Europe will clearly tend to show their absolute persuasion, that it is the interest even of the French republic to remove the grievances we complain of; and that it is also requisite for the safety of the neutral flags in our ports, as well as for the property of the Batavian merchants and others, that redress should not be withheld.

It may be asked, whether the ports and rivers, now almost deserted, shall be left in this situation? Whether the consignments shall be given into other hands? Whether our navigation shall be given up, to increase and promote that of the common enemy? Is not the preservation of these havens and sea-ports necessary for the support of our allies, and the commerce of the North?—the invaluable resources of our marine, in receiving the various productions of pitch, tar, hemp, and all kinds of grain. Convinced by these considerations, the French Directory, we confidently trust, will, through your representations, take the most effectual measures for the purpose of putting an end to this barbarous system (the object of our complaints). May this disposition increase the friendly sentiments of both nations, by an everlasting union, and draw closer the sacred bands by which we are at present connected, and which can alone preserve the indivisibility and welfare of both republics.

We submit, Citizens Directors, our thoughts in the plain and simple guise of truth, beseeching you to make such a use of these our requests, as your patriotic sentiments, and the love of our dear country, may inspire. Health and respect.

By order of the above-mentioned committee,

H. BROEL, Sec.

In regard to the depredations committed by French privateers upon the Dutch trade, the first chamber decreed,

That no privateer be suffered to capture, in Dutch rivers and waters, any ship belonging to neutral or allied nations, under a penalty of 3000 guilders, to be paid by the captain and crew of the privateer, two-thirds of which to go to the poor, and one-third to the crew of the ship which rescues the captured ship; further, that, under the same penalty, no prize of the above description, when taken in foreign parts, shall be carried into any port of the republic.

The second chamber sanctioned the decree passed by the first chamber.

Decree

*Decree of the Legislative Body of Helvetia.**Arau, 20th Sept. 1798.*

THE Legislative Councils, considering that the legislators of the republic have sacred duties to fulfil, after the sad events in which they have seen on one side a portion of the children of Helvetia misled by fanatical priests, and deceived by foreign and perfidious emissaries, rise against the mother-country, abjure the constitution which they had accepted, and arm against their brethren; and on the other side, magistrates, equally courageous and wise, repressing revolt by the sole force of the republic, that is to say, by the zeal of the good citizens who are animated by the love of liberty and the Helvetic union; that they have seen too, the brave French army lavishing their blood in the support of their allies, and gaining a victory, afflicting without doubt, because obtained over our misled brethren; but glorious and salutary, inasmuch as it overwhelms fanaticism, and establishes the republic upon bases not to be shaken:—considering that as faithful organs of the Helvetic people, the representatives ought to express the sentiments as well as the will of the people, and that it belongs to them to decree in their name to the valiant defenders of the country the sole recompence worthy of them, the expressions of the gratitude of a free people; to the rebels, and, above all, to the infamous authors of this parricidal plot, the penalty due to their crimes:—finally, to the unfortunate who have suffered the destructive scourge of war, the succours which they may expect from a mother-country:—the Legislative Councils taking into consideration the message of the Directory of the 17th September, decree, after having declared urgency:

1. The Legislative Body declare solemnly, that the French army and the Citizen General Schawenbourg have deserved well of the Helvetic republic.

2. Honourable mention shall be made in the register of the energetic conduct of Citizen Bolt, prefect of the canton of Sentis, of the communes of the cantons that have risen for the cause of liberty; of Citizen Hoes, prefect of the canton of Linth; of the prefects of Lucerne and Wadstätten; of the sub-prefects; of the communes and citizens of Helvetia who have signalized themselves for the maintenance of freedom and the constitution.

3. The rebels, and principally the authors and accomplices in the conspiracy against the country, shall be prosecuted criminally, and tried according to the constitution, articles 93 and 94.

4. The orphans left by the patriots who perished on that occasion shall be brought up at the expense of the republic.

Finally, there shall be made throughout Helvetia a voluntary collection in favour of the persons burnt out in the district of

Stantz, and of those in the adjacent parts who may have suffered in consequence of those events: the amount of the collection shall be transmitted to the Directory, who shall distribute it.

Message of the Helvetic Directory on the 3d of October 1798, to the Legislative Body in their Meeting at Lucerne.

THE Executive Directory expected with impatience the moment of your union. It congratulates you on having resumed your labours. The pure joy it experiences, and which it has already expressed to you, is a sure pledge that it beholds in you, Citizens Representatives, its elder brothers, some time absent from one common family, and returned to labour for its prosperity and happiness. Since the period of our separation, we have received the commercial advantages stipulated by our treaty with France. Thus this pledge, so essential to our national existence, has been fully confirmed.

On the other hand, our foreign affairs are not become more auspicious. Peace between the great powers seems to be far off, and we find them on the point of renewing hostilities, without our possessing the means of protecting ourselves. We are surrounded by conspirators and evil-minded people, who correspond with those that wish to introduce trouble and disorders. Possessing your confidence, and supported by you, Citizens Representatives, we shall escape whatever dangers may threaten us. We come to deposit in your bosom our devotion to the country, and our good wishes for the national representation.

Proclamation of the Austrian General on entering the Country of the Grisons.

THE lawful chiefs and magistrates of the laudable republic of the three orders in Rhetia, appointed and authorized in legal form, having, in virtue of ancient eternal alliances and treaties, applied to his Imperial Royal Apostolic Majesty for the preservation and protection of the ancient constitution, liberty, and tranquillity of their country, his Imperial Royal Apostolic Majesty has, in consideration of the subsisting treaties, most graciously charged us to advance with the corps of troops under our orders into the country of the Grisons, for the sole purpose of asserting, in compliance with the above request, the independence and integrity of the Rhetian republic, and to maintain the ancient constitution of the country, the dignity and authority of the magistrates lawfully appointed, and the enjoyment of all the liberties, rights, and privileges of the Grisons.

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The undersigned commanding General announces therefore to all citizens, communes, high courts, and orders throughout Rhetia, that they are to consider the march of the Imperial royal troops into their country as a friendly, peaceful, and protecting measure, having no other object than to co-operate with the present lawful government in the preservation of the lawful order, constitution, and tranquillity.

(Signed)

AUFFENBERG,

Major-general of his Imperial Royal Apostolic Majesty, and commanding General of the troops detached to the country of the Grisons.

Feldkirch, 12th October 1798.

Proclamation by the General in Chief to the French Army in Switzerland.

My Comrades,

THE treaty of alliance concluded between the Helvetic and French republics has given you an idea of the esteem which our government has for a nation celebrated for its ancient love of liberty. You have been victorious to your own disadvantage. By an unfortunate error, while you thought you were defending your own independence, you have been defending the privileges of a few families. The moment is arrived when Helvetians, mingling in your ranks, will follow the traces of their forefathers, and will share your glory and your dangers. If the gold of the English and their intrigues retard the peace which humanity demands, and the French government cordially wishes, what hope can remain to enemies so often vanquished by us, when we are united with a nation which has more than once proved its bravery?

My comrades, the Helvetic Directory has invited its fellow-citizens to hold themselves ready to march in defence of the country. When circumstances shall require them to join us, you will find in them friends and brothers, and you will both be eager to emulate each other in valour and courage. You ought to rekindle those sentiments in your hearts, by redoubling your affection for citizens who share their habitations with you, and by showing your respect for the constituted authorities.

May an union the most cordial, a friendship the most intimate, reign between the Helvetic and French republics; and may that union operate as an example to yours with the Helvetians!

You will thus fulfil my dearest wish. We shall be all more happy, and the hopes of our common enemies will yet be annihilated.

(Signed)

SCHAWENBOURG.

Order of the Day of the 11th Brumaire.

The General in Chief, Brune, to the Army.

Comrades,

FROM the moment the Executive Directory entrusted me with the command of the army of Italy, I applied myself to relieve all your wants, and every day your confidence and my zeal have made new progress. A witness to your generous devotion, I burnt to conduct you to the field of glory. If ill-advised kings are weary of peace, this advantage is reserved to General Joubert. I shall applaud your success, wishing that the word Victory may echo on the banks of the Texel.

(Signed)

BRUNE.

Extract of a Letter from Citizen Fleury, Consul of the French Republic at Bucharest, dated the 23d Fructidor (Sept. 29).

SELM III. has dispatched into all parts of his dominions, firmans, declaring war against the French republic, and announcing, that the Sublime Porte has requested the assistance of Russia. This union of the Porte with its natural enemy is a political monstrosity at which the inhabitants of this city loudly express their astonishment.

In consequence of the declaration of war, and by orders from the Porte, I have been arrested, and confined in a monastery, where I must wait the decision of my fate, respecting which there are different opinions. Some think that I shall be sent to Constantinople, to share the lot of Citizen Ruffin, whilst others believe that, after a few months detention, I shall be permitted to return to Paris. There are others still who entertain conjectures of a more alarming nature. I am resigned to either event; and in every situation I shall maintain an appearance becoming a republican.

Army of England. 24th Military Division.

PROCLAMATION.

Barthelemy François Berquinot, Commandant of the Departments of the Dyle, of Jemappe, and of the two Nethe, to the Inhabitants of the Canton of Malines and the neighbouring Communes.

Citizens,

THE sacred tree of liberty has been cut down on the spot. The tricoloured flag has been torn down. The prisons have been thrown open. The sanctuary of the laws has been violated,
and

and the archives which it contained burnt and destroyed. The republicans have been assassinated, and frightful scenes are passing under your eyes. These are nevertheless the inhabitants of Belgium, who have thus despised the laws of the French republic. Whatever may be their senseless project, whoever have been the perfidious agents who incite them, I declare the place of Malines in a state of siege, as well for the purpose of preventing the effects of this dreadful insurrection, as to grant protection to the peaceable inhabitants against all attacks of the ill-disposed. I direct in consequence that the well-disposed retire peaceably into their houses after night-fall, unless they should be provided with lights. Those who shall be found without them shall be conducted to the commandant of the gendarmerie. I consequently require that the municipal administration of the canton of Malines shall cause the present proclamation to be printed, published, and posted up in both languages, to the number of two thousand copies.

*Head Quarters, Malines, the 1st Brumaire,
7th year of the French republic, 22d of
October.*

(Signed)

BERGUINOT.

Buonaparte, Commander in Chief, to the Pacha of Cairo.

THE intention of the French republic in taking possession of Egypt has been to expel the Mamelukes, who were at once rebels against the Porte, and avowed enemies of the French government.

At this moment that she finds herself mistress of it, in consequence of the signal victory obtained by her army, her design is to secure to the Pacha of the Grand Signior his revenues and his existence.

I entreat you, therefore, to assure the Porte, that it shall experience no loss, and that I shall take care it shall receive the same tribute which was previously paid to it.

(Signed)

BUONAPARTE.

Arrêté of the Executive Directory, on the 8th Brumaire (Oct. 29).

THE Executive Directory, in consequence of the report of the minister of foreign relations, observing that the squadrons, privateers, and ships both of England and of Russia are in a great measure equipped by foreigners ;

Seeing moreover, that this violation is a manifest abuse of the law of nations, and that the European powers have taken no steps to check it, decrees :

Art.

Art. I. That every person, either native or originally from the countries in amity or alliance with France, or in a state of neutrality, who is bearer of a commission granted by the enemies of France, or who composes a part of the crews of the ships of war or others belonging to the enemy, shall, by virtue of this act alone, be declared a traitor, and treated as such, without his being permitted, in any case whatever, to plead that he was compelled into such service by force, threats, or otherwise.

Art. II. The Executive Directors of the Batavian, Ligurian, Cisalpine, and Roman republics, shall be informed of such threat.

Art. III. The provisions contained in the first article shall be notified to neutral, and to the powers allied with the French republic.

Art. IV. The minister of foreign relations is charged with the execution of the present arrêté, which shall be published in the bulletin of the laws.

(Signed)

TREILHARD, President.
LAGARDE, Sec. Gen.

Arrêté of the Executive Directory.

THE Executive Directory, desirous of determining the mode in which its arrêté of the 8th of Brumaire is carried into execution, has resolved as follows:—

Art. I. In execution of the 3d article of the arrêté of the Executive Directory, of the 8th of this month, the allied or neutral powers shall be invited to adopt the necessary measures to recall within a certain fixed time those seamen of their respective nations, who are actually employed on board ships and other vessels belonging to England.

Art. II. The ambassadors, ministers, and envoys of the republic with the said powers, shall receive peculiar instructions on this subject.

Art. III. The epocha of the execution of the arrêté of the 8th Brumaire shall be fixed by a subsequent arrêté.

Art. IV. The minister for foreign affairs is directed to attend in concert with the minister of the marine to the execution of this present arrêté.

PARLIAMENTARY PAPERS.

IRISH PARLIAMENT.

*Speech of his Excellency the Lord Lieutenant from the Throne,
on the 16th Jan. 1798, at the Meeting of Parliament.*

My Lords and Gentlemen,

I HAVE his Majesty's commands to assemble you in Parliament at this important period, and to resort to your deliberation and advice.

When I reflect on the tranquillity which attended the late general election, I have just ground to believe that the wisdom and firmness which were manifested by the late Parliament were felt and approved by the nation at large, and that your conduct will be actuated by similar principles in defence of our happy constitution.

It must have given you great concern to learn that his Majesty's endeavours to restore the blessings of peace have been again frustrated by the desperate ambition of the French government. I have his Majesty's commands to lay before you his royal Declaration, and the various papers which passed in the course of the late negotiation, in which the magnanimity and moderation of his Majesty were so eminently displayed, as to leave no pretext or colour for the insidious conduct and fallacious statements of the enemy.

His Majesty relies with confidence on the spirit of his people of Ireland, who are sensible of their duty to their God, their sovereign, and their country. He knows they are incapable of being intimidated by any threats, or deluded by any offers; and he implicitly depends on the valour of his regular and militia forces, the active loyalty of the district corps, the courage of the nation, and the prowess of his fleets and armies, for defeating every hostile attempt which may be made on this kingdom.

The late signal victory of Admiral Lord Duncan over the Dutch squadron, achieved on their own coasts with such professional skill and heroic gallantry, has not only added fresh lustre to the glory of his Majesty's navy, but has given new strength and security to all his Majesty's dominions.

Gentlemen

Gentlemen of the House of Commons,

I have ordered the public accounts and the estimates for the ensuing year to be laid before you. I lament that additional burdens are still necessary, in order to maintain the honour and security of the empire in the present exigency; and although from the state of preparation in which this kingdom stands, some of the demands of former periods will not recur, yet I fear the general expence of the ensuing year will not admit of any considerable reduction. When you reflect on all you have to preserve, and all you have to expect from the enemy you have to combat with, I doubt not the supplies will be cheerfully granted. I shall endeavour, on my part, that they shall be faithfully applied.

My Lords and Gentlemen,

In consequence of the addresses of the Houses of Lords and Commons in May last, I directed immediate and vigorous measures to be taken for repressing disaffection in the northern parts of the kingdom, and for restoring security and confidence to the loyal and well-disposed; the effect of which has been manifested in the return of subordination and industry in that quarter. Other attempts have since been made by the leaders of the disaffected in some parts of the midland and southern districts with too much success, and emissaries have been employed, and publications have been circulated by them, to revive religious animosities, and to open prospects of plunder, by which means the lower classes have been excited to commit acts of the most horrid outrage and barbarity. I have to lament that the diligence and activity of the magistrates, though assisted by the troops which have been ordered into that part of the kingdom, have not yet been able entirely to put a stop to those disturbances. Constant vigilance and unremitting exertions continue to be necessary when all means are tried to excite the people to rebellion and revolt—when a systematic plan of assassination is adopted and encouraged, and when the most audacious attempts are made to impede and prevent the administration of justice.

Amidst your exertions for the defence of the kingdom, I must not omit to recommend to you not to relax your attention to its commerce, its agriculture, and its manufactures, and especially to that of the linen; nor will your liberality be less conspicuous in continuing that protection to the Protestant charter schools, and the other charitable institutions under which they have so long flourished.

His Majesty has commanded me to declare to you, that his firm resolution is taken in the present arduous contest. He will not be wanting to his people, but with them will stand or fall

in the defence of their religion, and in the preservation of the independence, laws, and liberties of his kingdoms.

It will be a source of infinite satisfaction to my mind, if, in the execution of my duty, I can contribute to support the generous determination of my sovereign and maintain the safety and prosperity of his people. I rely upon your advice and co-operation, and, aided by them, I look forward with confidence to a happy issue of the contest in which we are engaged.

[Addresses were moved in both Houses, and carried unanimously.]

In the House of Lords, on the 19th February 1798, Earl Moira made the following Motion.

THAT an humble address be presented to his Excellency the Lord Lieutenant, representing that as Parliament hath confided to his Excellency extraordinary powers for supporting the laws, and for defeating any traitorous combinations which may exist in this kingdom, this House feels it, at the same time, a duty to recommend the adoption of such conciliatory measures as may allay the apprehensions and extinguish the discontents unhappily prevalent in this country.

[This motion was negatived by a majority of 44 contents against 9 non-contents.]

Against this Decision the following Protest was entered.

Dissentient,

BECAUSE that at a moment when Government has thought itself obliged to exert unusual rigour, it appears the extreme of impolicy not to profess the reluctance with which such severities are enforced, and the wish of Government to conciliate the minds of the people by a gentler course,

(Signed)

GRANARD.	ARRAN.
MOIRA.	W. DOWN and CONNOR.
CHARLEMONT.	DUNSENEY.
MOUNTCASHEL,	Proxym.

In the House of Commons, on the 5th March 1798, the following Motion was made by Sir Lawrence Parsons.

THAT a Committee be appointed to inquire into the state of the country, and to suggest such measures as are likely to conciliate the popular mind and restore tranquillity.

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[This

[This motion was negatived by a majority of 156 against 19.—Lord Corry, immediately after the division, moved, and the House voted, an address of thanks to the Lord Lieutenant, for the good consequences to the country from the vigorous measures pursued by his Excellency's government in Ulster, and pledging the firm support of the House in pursuit of those measures, and to the restoration of perfect tranquillity.]

Speech of the Speaker of the House of Commons to his Excellency the Lord Lieutenant on the 24th March 1798.

May it please your Excellency,

LARGE as the supplies of the last session were beyond all former grants, these which the Commons now offer to his Majesty are not inferior; they go to the fullest extent of every service proposed by Government, and are given with an unanimity and zeal which mark the unalterable determination of this kingdom to stand or fall with Great Britain, and show that our vigour rises as the vaunting menaces of the enemy increase.

With the same unanimity we have voted the maintenance of an army far greater than was ever kept up by this kingdom during any preceding war; and we have continued to them the augmentation of pay which was granted by the last Parliament, and which your Excellency did justly state to that Parliament to be a reasonable and honourable acknowledgment on their part of the steadiness and loyalty of that army. The present Parliament feels the same sentiments towards them. Repeated experience of the order and alacrity which they have shown on every occasion that has offered, confirms his Majesty's faithful Commons in those sentiments; and we join most cordially with his Majesty in his firm reliance on the valour of his regular and militia forces in this kingdom, which his Majesty has been pleased to express in his gracious answer to our address this session.

While the courage, the vigour, and the discipline of those forces must render them formidable to the enemy and insure his defeat, should he be desperate enough to attempt invasion, their zeal, and that of the yeomen, to put down rebellion, to crush insurrection, and to assist the executive power in protecting the loyal, the innocent, and well-disposed, affords the most convincing proof of their ardent and unshakable attachment to the best sovereign and best constitution that ever blessed a free and happy people. We are free—and we will not tamely give up our happiness. The loyal spirit of the nation is able to crush rebellion to atoms, wherever it shall dare to show itself; and with the firmness which so strongly marks your Excellency's character, with the constant success which has attended every vigor-

ous

ous measure that necessity has called on your Excellency to adopt, we have nothing to fear. We have, indeed, to lament, that traitorous conspiracies can still continue, and that any men can be found in the land so lost to every sense of patriotism, of humanity, of duty to themselves, their country, and their God, as to degrade the nation and the name of Irishman, by acts of ingratitude, barbarity, and assassination, which would debase a savage—acts which call for the heavy hand of justice, and which the ordinary power of the laws has proved inadequate to prevent the melancholy and frequent repetition of.

But while we lament such a mortifying calamity, we have the satisfaction of seeing how little its malignant influence, or the efforts of an exasperated and revengeful enemy, has affected our commercial prosperity.

Notwithstanding the largeness of the supplies, we have continued the usual bounties and encouragement to the trade, the agriculture, and the manufactures of the kingdom; and we see, with sincere gratification, the desirable effects of those encouragements, in the great increase of trade during the war, in the general confidence which attends private as well as public credit, in the unusual plenty which our agriculture supplies, and in the prosperous state of all our manufactures, but most particularly of our great staple, the linen.

In the House of Lords, on the 23d April 1798, the Earl of Glendore made the following Motion.

THAT an address be presented to his Excellency the Lord Lieutenant, expressing the thanks of the House for the proclamation issued by his Excellency and the Council on the 30th of March*, and the full conviction of the House, from the state of the kingdom, of the necessity for strong and decided measures.

[This motion was carried by a majority of 34 contents against 3 non-contents.]

In the House of Commons, on the 2d May 1798, Mr. Vandeleur moved the following Address to his Excellency.

THAT he would be pleased to order to be laid before the House copies of all orders given to general officers in Ireland, since the 30th of March last.

* Vide page 347.

[No decision was come to by the House upon the above motion, on account of there being an insufficient attendance of members.]

On the 22d May 1798, Lord Viscount Castlereagh presented to the House of Commons the following Message from his Excellency.

CAMDEN.

I AM to acquaint the House of Commons, that in consequence of the disorders which have taken place in the neighbouring counties, and of the preparations which appeared to be making by the disaffected in this metropolis and its vicinity, the magistrates thought it proper to apply to the Lord Lieutenant and Privy Council, to place the city under the provisions of the act passed in the thirty-sixth year of his Majesty's reign, more effectually to suppress insurrections and prevent the disturbance of the public peace: this application has been complied with; and I am now, with the utmost concern, to inform the House of Commons, that I have received information that the disaffected have been daring enough to form a plan for the purpose of possessing themselves, in the course of the present month, of the metropolis, of seizing the seat of government, and those in authority within the city. In consequence of this information, I have directed every military precaution to be taken which seemed expedient. I have made full communication to the magistracy for the direction of their efforts, and I have no doubt that, by the measures which will be pursued, the designs of the rebellious will be effectually and entirely crushed.

I have taken the earliest opportunity of making this communication, and have the fullest confidence that I shall be supported by the Commons in such measures as shall be necessary finally to suppress the rebellious conspiracy which exists in this kingdom.

C.

[In consequence of which the following resolutions were unanimously agreed to by the House of Commons, who immediately, with their Speaker, proceeded on foot to the Castle, and presented them to his Excellency.]

Resolved,

THAT an humble address be presented to his Excellency the Lord Lieutenant, to return his Excellency our sincere thanks for the message he has sent this day to the House.

The intelligence it communicates fills us with indignation and horror, whilst it rouses in us a spirit of determined resolution and energy.

We

We rely upon the vigilance and vigour of his Excellency's government, which, we trust, will continue unabated, till the conspiracy, which so fatally exists, be utterly dissolved. Sensible of the danger which surrounds us, we are fully prepared to meet it under his Excellency's auspices; and we feel assured, that his successful efforts in the cause of our sovereign and the constitution, will soon be crowned with universal gratitude, not only from the loyal, who have stood their ground with firmness, but from the deluded, who have been traitorously seduced.

[To which the Lord Lieutenant returned the following answer.]

THE manner in which the House of Commons has expressed its approbation of my conduct calls for expressions, on my part, to which no language I can use is equal. The wisdom, the firmness, and the spirit, which have been manifested, during the whole of this eventful period, by the House of Commons, and the peculiar promptitude, alacrity, and unanimity, which have been evinced, must tend, in the most effectual manner, to crush rebellion and to save the state.

[A message to the same effect having been sent by the Lord Lieutenant to the House of Lords, their Lordships voted the following address, and presented it to his Excellency in the same manner.]

WE cannot repress our indignant emotions at those desperate designs which have been communicated to us, nor sufficiently applaud the vigilance and vigour which are exerted to defeat them. With firm and collected resolution, we express a full confidence that his Excellency will proceed in his measures with unrelaxed effort; we engage to him our full support, strengthened by the increased activity of the loyal, and the repentance of the deluded. The well-directed force of Government cannot fail to extinguish the conspiracy which disgraces the kingdom; and his Excellency will soon reap the fruits of his unremitting attention to public safety in the approbation of his sovereign and in the gratitude of the people.

[To which his Excellency returned the following answer.]

YOUR approbation of the measures I have taken, so ardently, immediately, and unanimously conveyed, affords me the highest gratification: you cannot doubt of my vigorous perseverance in what you have approved; nor can I hesitate as to the speedy success of those efforts which are so warmly seconded by the energy of the legislature, and by the loyal spirit which is so conspicuously and generally displayed.

On the 24th May Lord Castlereagh presented to the House the following Message from the Lord Lieutenant.

CAMDEN.

I HAVE thought it my indispenfable duty, by and with the advice of the Privy Council, under the present circumstances of this kingdom, to issue a proclamation, a copy of which I have ordered to be laid before the House of Commons.

C.

By the Lord Lieutenant and Council of Ireland.

A PROCLAMATION.

CAMDEN.

HIS Excellency the Lord Lieutenant, by and with the advice of the Privy Council, has issued orders to all the general officers commanding his Majesty's forces to punish all persons acting, aiding, or in any manner assisting in the rebellion which now exists within this kingdom, and has broken out in the most daring and violent attacks upon his Majesty's forces, according to martial law, either by death or otherwise, as to them shall seem right and expedient, for the punishment and suppression of all rebels in their several districts: of which all his Majesty's subjects are hereby required to take notice.

Given at the council chamber in Dublin, the 24th day of May 1798.

God save the King.

The following Resolution, in Answer to the above Message, was moved by the Chancellor of the Exchequer, and carried nem. con.

Resolved,

THAT an humble address be presented to his Excellency the Lord Lieutenant, to express our cordial acknowledgment for the message sent this day by his Excellency to the House. We entirely approve the decisive measure his Excellency has taken by the advice of the Privy Council, however we may lament its necessity. We renew our engagement of support; and when we reflect on the general firmness and vigour which are manifested, we feel the fullest assurance that the rebellion will be speedily crushed.

On Tuesday, June 17, the following Message from the Lord Lieutenant was presented to the House of Commons by Lord Castlereagh.

CORNWALLIS.

I HAVE received the King's commands to acquaint the House of Commons, that his Majesty, notwithstanding his just abhorrence of the unnatural and unprovoked rebellion which has broken out in this kingdom, yet being ever disposed to exert, as far as possible, his royal prerogative of mercy, and to receive again under his royal protection those who by the arts of wicked and designing men have been seduced from their allegiance, has signified his gracious intention of granting his general and free pardon for all offences committed on or before a certain day, upon such conditions, and with such exceptions, as may be compatible with the public safety; for carrying which benevolent purpose into execution, his Majesty has signified his gracious intention of sanctioning, in the usual form, by his royal signature, a bill for that purpose, previous to its being submitted for the concurrence of Parliament.

His Majesty has also directed me to lay before you several important papers, which may assist you in unfolding the nature and extent of the conspiracy which has long prevailed in this kingdom; not doubting that whilst your endeavours are directed to give effect to the gracious intentions of his Majesty, that you will feel it your indispensable duty to consider of and adopt such measures of salutary precaution as may tend to secure the state hereafter against the machinations of the disaffected.

In your deliberations, the sufferings of his Majesty's loyal subjects will naturally receive your attention; and I recommend to you the framing of effectual measures for ascertaining their losses, and bringing their claims under the consideration of Parliament.

The numerous and continued advantages of his Majesty's forces over the rebels, afford me just ground to believe, that as their hopes of success must have failed, so the obstinacy of their resistance will speedily cease. The generals under my command have received, and shall continue to receive, the most positive orders to proceed against them with unceasing activity and vigour: and I shall not suffer their exertions to relax so long as any body of them whatever shall remain in arms against his Majesty's peace.

C.

Lord

Lord Castlereagh moved the following Resolution, in Answer to the above Message. It was carried unanimously.

THAT an humble address be presented to his Excellency the Lord Lieutenant, to request his Excellency will lay before his Majesty the sincere acknowledgments of his faithful Commons for the gracious communication which has been made by his Excellency, in his Majesty's name, to this House.

That we should be dead to every feeling of loyalty and gratitude, if we did not most unequivocally declare, that his Majesty's reign has been one continued series of beneficent condescension and favouring grace to his subjects of this kingdom; that under his benevolent auspices his Majesty's kingdom of Ireland had risen to a height of prosperity un hoped for and unparalleled in any former æra; that our commerce had been largely extended, our constitution highly improved, and every class of subjects conciliated by the most liberal acts of concession and indulgence—that feeling from this conduct in his Majesty's administration, that the duties of allegiance and loyalty became daily stronger in proportion to the benefits which were experienced, we cannot repress our indignation at the ingratitude of those who have instigated the people to forget such obligation, and to engage in conspiracy, treason, and rebellion.

That we observe, with the warmest admiration, that no demerit, no crime in his subjects can extinguish the workings of mercy in the royal breast, and that his Majesty is ever more willing to consign their offences to oblivion, upon such conditions and with such exceptions as may be compatible with the public safety, than to punish them with that severity which they so fully deserve; that a conduct so conciliatory and benevolent must deeply penetrate the heart of every subject; and whilst it is our bounden duty to form the strongest guards for the general security, and for maintaining the rights of his Majesty's throne against the future machinations of the disaffected, we shall ever keep in view the humane dispositions of the royal mind, and endeavour to render his Majesty's mercy complete and efficacious; that we request his Excellency will communicate to his Majesty our sincere thanks for ordering to be laid before us several important papers, which may assist us in unfolding the extent of the conspiracy which has long prevailed in this kingdom, and we shall refer them to such an examination as their peculiar nature may properly demand.

That we shall immediately attend to the sufferings of those loyal subjects whose families and property have been injured by the rebels, and shall endeavour to ascertain their losses in such a manner as to bring the claims which result from them to the fullest consideration; that we trust, from the valour of all his

Majesty's forces, their numerous and signal successes, and from the late entire dispersion which the rebels have experienced, from the vigorous measures which have been adopted by his Excellency, all future resistance will speedily terminate.

Those offers of mercy to the repentant, those measures of vigour against the obstinate, which are the wise result of his Excellency's councils, cannot fail finally to extinguish the present rebellion, and to restore the invaluable blessings of subordination and peace.

His Excellency's Speech to both Houses on the 6th of October 1798, on proroguing the Parliament.

My Lords and Gentlemen,

I HAVE the satisfaction of acquainting you, that I have received the King's commands to release you from your long and fatiguing attendance in Parliament; and I am ordered to thank you, in his Majesty's name, for the unshaken firmness and magnanimity with which you have met the most trying difficulties, and with which the measures have been planned, which you have adopted for the preservation of your country.

I offer you my most sincere congratulations on the glorious victory which has been obtained by his Majesty's Squadron under the command of Sir Horatio Nelson, over the French fleet in the Mediterranean, which not only reflects the highest honour on the officers and seamen by whom it has been achieved, but affords a prospect of the most beneficial consequences to the future interests of the British empire.

Gentlemen of the House of Commons,

I am commanded to convey to you his Majesty's particular thanks for the supplies which you have so liberally granted, and by which you have manifested both the extent of the resources which this kingdom possesses, and the spirit with which they are employed by the Commons of Ireland for the preservation of the state.

His Majesty laments the necessity which calls for the imposition of fresh burdens on his Majesty's subjects; but he trusts that they will see how much their present safety and their future happiness depend on their exertion in the arduous contest in which they are engaged; and he assures his faithful Commons, that the aids which they have afforded shall be carefully applied to the great object of maintaining the honour and promoting the interest of their country.

My Lords and Gentlemen,

The circumstances which have taken place since its commencement, must render this session very memorable.

The foulest and darkest conspiracy was formed, and long carried on by the implacable enemy of these realms, for the total extinction of the constitution, and for the separation of his Majesty's kingdom of Ireland from Great Britain. By the unremitting vigilance of my predecessor in this government the treason had been detected; the apprehension of the principal conspirators, and the salutary measures wisely adopted, checked its progress; and through your sagacious diligence it has been developed in all its parts, and traced to all its sources.

A dangerous and wicked rebellion, the consequence of that conspiracy, has been in a great measure subdued; and the attempt of our inveterate enemy to rekindle the flame of civil discord, by sending a force into this country, has terminated in defeat.

Religion, the greatest comfort and support of mankind, has been most wickedly perverted to the purpose of inflaming the worst of passions; and the vilest arts have been used to persuade the ignorant and unwary, that in a reign which has been marked by a series of indulgences to all sects of Christians, it is the intention of his Majesty's government to oppress, and even to extirpate that description of his Majesty's subjects who have received repeated and recent marks of his favour and protection.

The Catholics of Ireland cannot but have observed what has been the conduct of those who affect to be their friends towards the rites and the characters which they venerate, and under whose auspices the persecuted pastors of their church have found an asylum.

Amongst a number of offenders some most active characters have necessarily been selected as objects of public justice; but in every period of this dangerous conspiracy the lenity of Government and of Parliament has been conspicuous; and a general act of pardon has recently issued from the royal mercy, for the purpose of affording security to the repentant, and encouraging the deluded to return to their duty.

The vigour and power of his Majesty's arms, the loyalty, spirit, and activity of his regular, militia, and yeomanry forces, together with the prompt and cordial assistance of the militia and seneschals of Great Britain, have abundantly proved how vain every attempt must be, either by treachery within, or by force from abroad, to undermine or overturn our civil and religious establishments.

From the dangers which have surrounded you, and which you have overcome, you must be sensible that your security can only be preserved by persevering vigilance and increasing energy. You will not suffer your efforts to relax, and you may be assured of my zealous endeavours to second your exertions. Our hopes and our objects are the same, that the deluded may see their error, and the disaffected be reclaimed; but if an endeavour shall be made to
abuse

abuse the royal mercy, and to form fresh conspiracies in the prospect of impunity, offended justice will then be compelled to extend to the obdurate criminal the full measure of his punishment.

Amidst your measures either of power, of justice, or of clemency, you have not forgotten to afford consolation and encouragement to the loyal. The means which were adopted for their temporary relief, and the plan which has been devised for the further remuneration of their losses, are highly honourable to your feelings, and must, in every loyal breast, excite emotions of love and gratitude to his country.

Since my arrival in this kingdom I have received the most flattering assurances of your regard and approbation, which command my warmest acknowledgments; and whilst I feel myself thus encouraged and supported, and reflect on the loyalty which is so generally displayed, and on the force which is entrusted to my direction, I cannot allow myself to doubt of the success of our united endeavours for the welfare of this country.

BRITISH PARLIAMENT.

Address of both Houses of Parliament to his Majesty on the 10th November 1797.

WE, your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, and Commons, in Parliament assembled, have taken into our most serious consideration the papers which your Majesty has been pleased to direct to be laid before us, on the subject of the negotiation into which your Majesty had entered, with the view of restoring to your people a secure and honourable peace. In every stage of that transaction we have recognised your Majesty's invariable and unremitted solicitude for our prosperity and welfare, while we have seen, on the other hand, the most abundant proofs of the continuance of that spirit of inveterate animosity and desperate ambition, on the part of our enemies, in which the present contest first originated. Your Majesty's conduct, characterized by an unexampled moderation, openness, and consistency, has left to the enemy no means of evasion, no subterfuge of disguise or artifice. It can no longer be denied that their conduct is actuated by a fixed determination of excluding all means of peace, and of pursuing, at all hazards, their hostile designs against the happiness and safety of these kingdoms: even the vain pretence of pacific dispositions is now abandoned, and the real purpose of all their councils, and of all their measures, at length openly and publicly avowed. It is to our laws and government that they have declared their irreconcilable hatred. No sacrifice will content them but that of our liberty; no concession but that of our envied and happy constitution.

Under such circumstances, we feel the duty which we owe in this great crisis to God and to our country. Animated by the same sentiments which your Majesty has been pleased to declare to your people and to the world, attached to your Majesty by principles of duty and gratitude, and sensible that it is only from courage and firmness that we can look for present safety or permanent peace, we are determined to defend, with unshaken resolution, your Majesty's throne, the lives and property of our fellow-subjects, the government and constitution of our country, and the honour and independency of the British empire. We know that great exertions are necessary; we are prepared to make them; and, placing our firm reliance on that divine protection which has always hitherto been extended to us, we will support your Majesty to the utmost, and stand or fall with our religion, laws, and liberties.

The following Amendment to the Address was moved in the House of Commons by Sir John Sinclair.

WE beg leave to return your Majesty our most humble and hearty thanks for your gracious communication of the papers respecting the late negotiation entered into with the government of France. When we consider the various calamities to which nations in a state of hostility are necessarily exposed, we cannot but deplore the continuance of a war, which has already occasioned such expense of treasure and of blood to the powers engaged in it; and we join most heartily in applauding your Majesty's humane and beneficent exertions to bring the same to a termination. We trust that the two nations will see the wisdom and policy of speedily renewing a negotiation so favourable to the interests of humanity, and of concluding the war on terms just in themselves, and honourable to the parties interested; the only true foundation in which a lasting pacification can be expected. But if, unfortunately, such hopes should not be realized, and should the further prosecution of the war become necessary, your Majesty may be assured of the firm and unalterable support of your faithful Commons, in making every exertion that circumstances may render necessary for procuring a safe and honourable peace, on terms consistent with the dignity of your Majesty's crown and kingdom, and the prosperity and essential interests of your people.

[The above amendment was withdrawn.]

*His Majesty's Answer to the Address of both Houses of Parliament
on the 11th November.*

My Lords and Gentlemen,

NOTHING would be more satisfactory to me than the unanimous declaration of the sentiments of my two Houses of Parliament; they are such as the conduct and declared intention of the enemy could not fail to produce. We are engaged in a cause which is common to us all, and contending for every interest which a free and independent nation can have to maintain. Under the blessing of Providence, I look with confidence to the issue of this great contest: but in every event my resolution is taken: it is such as I owe to God, to my country, and to myself, and it is confirmed by the sentiments which you have this day delivered to me. I will not be wanting to my people, but will stand or fall with them in the defence of our religion and in the maintenance of the independence, laws, and liberties of these kingdoms.

On the 8th December Mr. Nicholls made the following Motion in the House of Commons.

THAT all salaries, fees, and perquisites of all persons holding offices under the Crown, shall be given up towards defraying the expenses of the war, excepting the sum of 2000*l.* a-year to all officers whose salaries, fees, and perquisites shall exceed 2000*l.* a-year. This resolution not to extend to the Lord Chancellor, the Speaker of the House of Commons, the Judges, the officers holding commissions in the army and navy, and to foreign ministers.

[The motion was withdrawn.]

The following Message was brought down to the House of Commons on the 11th January 1798.

G. R.

HIS Majesty thinks proper to acquaint the House of Lords, that he has received various advices of preparations made, and measures taken in France, apparently in pursuance of a design openly and repeatedly professed of attempting an invasion of these kingdoms. His Majesty is firmly persuaded that by the zeal, courage, and exertions of his faithful people, struggling for every thing that is most dear to them, such an enterprise, if attempted, will terminate in the confusion and ruin of those who may be engaged in it. But his Majesty, in his anxious concern for
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the welfare and safety of his people, feels it incumbent upon him to omit no suitable precaution which may contribute to their defence at so important a conjuncture. His Majesty therefore, in pursuance of the act of Parliament passed last session for providing for the augmentation of the militia, thinks it right to make this communication to the House of Commons, to the end that his Majesty may cause the said militia, or such part thereof as he shall think necessary, to be drawn out and embodied, and to march, as occasion shall require.

Mr. Dundas moved, and the House agreed to the following Address in consequence of the above Message.

THAT an humble address be presented to his Majesty, to return his Majesty our most dutiful thanks for graciously communicating to this House, that he has received various advices of preparations made and measures taken in France, apparently in pursuance of the design openly and repeatedly professed of attempting the invasion of these kingdoms: To assure his Majesty that he may rely on the continued and decided support of this House in this important conjuncture; and that we are firmly persuaded that the zeal and courage of his faithful subjects struggling for all that is most dear to them, will be vigorously exerted in repelling every insult, and will, under the blessing of Providence, be effectual for disappointing the ambitious and extravagant designs of the enemy, and turning them to the confusion of those who may be engaged in them.

[A similar message was presented to the House of Lords on the same day, and a similar address ordered to be presented.]

On the 22d February 1798, in the House of Commons, Mr. Bker made the following Motion, which was agreed to.

THAT there be laid before the House, an account of the proceedings of the Transport Office, and of the Board of Admiralty, relative to the treatment of the French prisoners in the different parts of the kingdom.

On the 23d February 1798, Mr. Huskisson made the following Motion in the House of Commons, which was agreed to.

THAT there be laid before the House such extracts from the letters and correspondence as related to the detention and confinement of Sir Sidney Smith, and the negotiation entered into between the two governments, respecting the exchange of prisoners of war.

On

On the 22d March 1798, in the House of Lords, the Duke of Bedford moved,

THAT an humble address be presented to his Majesty, most humbly to represent that, from the commencement of the war to the present moment, his Majesty's ministers have had all the advantages which could be derived from the entire confidence and support of Parliament ; that this confidence and support have given them the unlimited command and disposal of the power and revenue of these kingdoms ; that, with means profusely furnished to obtain success, the councils which have had the direction of this power and the application of these resources, have been attended with no effect but to exalt France to her present formidable greatness, and in the same proportion to impair the relative situation of Great Britain ; to expose her, with reduced strength and diminished resources, to all those dangers which it was alleged could be averted only by an early and successful combination to resist the principles as well as the power of the French government ; and, after an unavailing expence of blood and treasure, to compel his Majesty's ministers to open a negotiation for peace by a total dereliction of all the principles on which the war was said to be unavoidable, and by submitting to abandon those safeguards and defences, which, in the early period of hostilities, were insisted on as absolutely indispensable to the security of these kingdoms.

That, without looking back to the causes of the war, or inquiring now whether it might or might not have been avoided, and reserving for another moment all consideration of the charges which may hereafter be brought against those persons who originally advised his Majesty not to acknowledge the republic of France, nor to listen to any terms of accommodation ; we think it our duty humbly to lay before his Majesty the situation in which we are now placed.

We are awed by the result of the war itself, and astonished at the conclusion drawn from it by his Majesty's ministers, who, with all the means of vigorous attack, have reduced us to a state of precarious defence, yet still have the confidence to assert, that in the same councils which have proved so incompetent in prosperity to direct with advantage the affairs of the nation, the best means are to be found of relief and security in our present difficulty and distress ; and that we are still to look to them alone for the attainment of a safe and honourable peace.

That this House, and every member of it, is ready to provide for a vigorous defence of the country, and will not shrink from any personal difficulty or danger that may attend the performance of this duty. That whatever differences may exist, with regard to the principles and policy of our internal government, we are de-

terminated and unanimous in our resolution to resist all foreign interference. But instructed as we are by a long series of events, and corrected by experience, we are bound by our duty, and compelled by necessity, to submit to his Majesty our humble opinion that the situation of the country is too critical, and the dangers that surround it are too serious, to admit of any further trial of the same councils which have constantly failed; or of the same persons, for whose continuance in office, notwithstanding the heavy and unanswered charges which have been brought against them, even themselves have nothing to plead, but a feeble, unavailing rectitude of intention constantly overpowered by the superior policy and vigour of the enemy, or a pretended apprehension, equally false and malignant, of the designs and principles of those whom his Majesty might appoint to succeed them in the administration of public affairs, as if in the present cabinet were to be found the only efficient persons whose loyalty and attachment to the constitution were free from all suspicion and doubt.

That lamenting, as we do, the failure of the late negotiations for peace, we beseech his Majesty seriously to reflect whether, when conducted by his present ministers, there could be any reasonable hope of their success. We have not forgotten their haughty and supercilious rejection of all offers of accommodation previous to the commencement of hostilities; and we too well remember the terms of inveterate and irreconcilable enmity on which the contest was placed at the outset, and on which it has ever since been conducted, to hope for any conciliatory disposition between the enemy and the original advisers of the war. We cannot be surprised that any overture which may now be made by his Majesty's ministers, after having wilfully neglected, or insolently refused, every favourable opportunity of negotiation, should be received as an acknowledgment of weakness and distress, rather than as a proof of sincere disposition to peace.

Further, to represent to his Majesty, that the situation of the country is in all respects pregnant with dangers unknown at any former period. Our domestic distress is great, and is hourly increasing; the principles of our free constitution have been violated, and some of the most essential securities of our liberties destroyed; the connexion with our sister kingdom is threatened with dissolution, and all the foundations of our importance and power in Europe are rendered precarious and uncertain.

To extricate us from such difficulties requires much fortitude and wisdom. For these qualities we cannot look to his Majesty's present advisers; under them we cannot hope for a successful prosecution of the war, still less for the conclusion of a secure and equitable peace.

We therefore submit this our humble representation to his Majesty, trusting that his Majesty will see, as we do, the urgent and
indis-

indispensable necessity of employing other persons, and of adopting other councils.

[The above address was rejected by a majority of 113 non-contents to 13 contents.]

Against this Decision of the House the following Protest was entered on the Journals.

Disfident,

BECAUSE we feel it to be a duty prescribed to us by necessity, and dictated equally by our love for our country, and by our regard for the person and dignity of the King himself, to declare our solemn and conscientious conviction, that nothing short of an immediate dismissal of his Majesty's present ministers, and a change of the system on which they have conducted the government, can enable us to support our present accumulated distress, or afford us a chance of averting the dangers with which we are on all sides surrounded, and which, if not encountered with adequate fortitude and wisdom, threaten certain ruin and dissolution to the power, laws, and liberties of these kingdoms.

BEDFORD.
NORFOLK.
HOLLAND.

The following Resolution was moved by Lord Romney, in the House of Lords, on the 22d March 1798, and agreed to.

RESOLVED, That in a crisis in which all the interests of our country are at stake, we have seen with peculiar satisfaction that the zeal and public spirit of every rank of our fellow-subjects has risen in proportion to the magnitude of the occasion; and that, animated on our part by the same sentiments, we deem it our indispensable duty, instead of distracting the councils of our Sovereign with proposals of change, to renew the declaration of our invariable adherence to the principles which have governed his Majesty's councils, and in which his Parliament has uniformly concurred, for the security of these kingdoms against foreign attack, and for the maintenance of our religion, laws, and constitution.

On the 20th April the following Message was brought down to the House of Commons, from his Majesty, by Mr. Dundas.

G. R.

HIS Majesty thinks it proper to acquaint the House of Commons, that, from various advices received by his Majesty, it appears that preparations for the embarkation of troops and warlike stores are now carried on with considerable and increasing activity.

tivity in the ports of France, Flanders, and Holland, with the avowed design of attempting the invasion of his Majesty's dominions; and that in this design the enemy is encouraged by the communications and correspondence of traitorous and disaffected persons and societies in these kingdoms.

His Majesty places the firmest reliance (under the blessing of Divine Providence) on the bravery of his fleets and armies, and on the zeal, public spirit, and unshaken courage of his faithful people, already manifested in the voluntary exertions of all ranks of his subjects for the general defence, more than ever necessary, at a moment when they are called upon to defend all that is most dear to them.

His Majesty, in pursuance of the act passed in the last session of Parliament for raising a provisional body of cavalry, has thought it right to give directions for such regiments of cavalry to be drawn out and embodied; and it is also his Majesty's intention to order the part not yet embodied, of the augmentation made to the militia, under the act of the last session, to be forthwith embodied and drawn out, in pursuance of his Majesty's communication already made to the House of Commons on this subject.

His Majesty feels it incumbent on him to make the fullest use of the extensive means provided by Parliament for the national defence; but he feels it at the same time, under the circumstances that he has stated, necessary to recommend it to the House of Commons to consider, without delay, of such further measures as may enable his Majesty to defeat the wicked machinations of disaffected persons within these realms, and to guard against the designs of the enemy, either abroad or at home.

Mr. Dundas moved the following Address, which was agreed to.

THAT an humble address be presented to his Majesty, to return his Majesty the humble thanks of this House for his most gracious message; and to assure his Majesty, that this House will without delay proceed to the consideration of the interesting subjects therein mentioned, with all the attention which their importance to the safety of these kingdoms requires.

[On the same day a similar message was presented to the House of Lords, and a similar address with the above agreed to.]

On the 23d April the Duke of Portland brought down the following Message from his Majesty to the House of Lords.

G. R.

HIS Majesty recommends it to the House to consider of enabling his Majesty to make remittances from time to time, to be applied to the service in Ireland, in such manner as shall be approved

approved by the Parliament of that kingdom, as shall not exceed the sum of two millions, on provision being made for interest, and charges upon a loan to that amount.

[An address of thanks to his Majesty for the above message was moved and carried.—On the 24th April Mr. Pitt brought down to the House of Commons a similar message, which was ordered to be referred to a committee of supply of the whole House.]

On the 12th June 1798, Mr. Pitt brought down to the House of Commons the following Message from his Majesty.

G. R.

HIS Majesty, relying on the experienced zeal and affection of his faithful Commons, and considering that it may be of the utmost importance to provide for such emergencies as may arise in this critical conjuncture, is desirous that the House will enable him to take all such measures as may be necessary to disappoint or defeat any enterprizes or designs of his enemies, and as the exigencies of affairs may require.

[His Majesty's message was ordered to be referred to a committee of supply of the whole House.—A similar message was presented on the same day to the House of Lords, by Lord Grenville, and an address of thanks to his Majesty agreed to.]

On the 14th June 1798, Mr. Sheridan moved, in the House of Commons,

THAT a committee be appointed to take into consideration the state of Ireland.

[The motion was negatived by a majority of 159 to 43.]

On the same Day Mr. Sheridan moved,

THAT an humble address be presented to his Majesty, to submit an opinion to his Majesty, that the deplorable state of Ireland calls for an immediate and total change of councils and measures in that kingdom: That if the system of coercion, enforced in the manner it has been, shall succeed to the full extent of the most sanguine expectations of those who have advised it, the conquest of a desert is all that can be obtained by it; and that Ireland, so reduced and so desolated, can be no way preserved but by a continued waste of the wealth and strength of Great Britain, for which no other return from that country can be rationally expected but implacable hatred waiting for revenge: That if these measures fail, the possibility of which no wise government could leave out of its

calculation, Ireland will not merely be lost, but may become an accession to the power of France, and England be exposed to the issue of a contest on English ground, not for acquisition or dominion, but probably for existence. We should fail in the duty we have undertaken, if we did not at the same time express to your Majesty our absolute conviction that no change of system in Ireland would be effectual to its purpose, without a removal of those persons whose counsels have produced the present calamities, and who cannot in reason be considered as capable of correcting their own errors, or of attempting it with sincerity; and whose past conduct, both in practice and profession, renders it impossible for them, even were they to act on a sincere conviction of past errors, to raise an expectation in Ireland of such a government, on temperate principles, as might dispose the people to submit to the regular and indispensable restraints of justice administered according to law, or even to accept of concession without distrust, or of benefits with gratitude.—Nothing, in our opinion, but a total change of men as well as measures can prevent the otherwise certain alienation, and more than possible separation, of that country from Great Britain.

[The motion was negatived without a division.]

On the 15th June the Duke of Leinster moved in the House of Lords,

THAT a committee be appointed to inquire into the causes of the present calamitous state of Ireland.

[The motion was negatived by a majority of 51 to 18.]

On the 18th June 1798, Mr. Dundas presented the following Message from his Majesty.

G. R.

HIS Majesty thinks proper to acquaint the House of Commons, that the officers, non-commissioned officers, and privates of different regiments of the militia of this kingdom have made to his Majesty a voluntary tender of their services, to be employed in aid of the regular and militia forces of this kingdom, to suppress the rebellion now unhappily existing in Ireland.

His Majesty has received with the utmost sensibility this striking and seasonable proof of their ardent zeal and attachment to his person and government, and of affectionate concern for the interests and safety of his Majesty's faithful and loyal subjects in Ireland: and conceiving that the being able to avail himself of this new and distinguished instance of public spirit may eventually be of the utmost importance for the preservation of the lives and property

perty of his Irish subjects; for the speedy and effectual suppression of the rebellion; for the defence of Great Britain itself, and for the general interests and security of the empire;—he recommends it to his faithful Commons to consider of such provisions as may be necessary for empowering his Majesty for a time, and to an extent to be limited, to accept the services of such parts of his militia forces in this kingdom, as may voluntarily offer themselves to be employed in Ireland at this important conjuncture.

The above Message was taken into Consideration on the 19th June; and the House of Commons resolved,

THAT an humble address be presented to his Majesty, to return his Majesty the thanks of this House for his most gracious message; to assure his Majesty, that while we deeply regret that the machinations of wicked men should have induced any of his Majesty's subjects to commit acts of rebellion against his Majesty's government, we at the same time feel the highest satisfaction that this occasion has afforded a fresh proof of the zeal and ardour for the service of their country, which has ever distinguished the militia forces of this kingdom.

That conceiving it may be of the utmost importance for the protection of his Majesty's loyal subjects in Ireland, for the speedy and effectual suppression of the present rebellion, and for the general defence of the British empire, that his Majesty should avail himself of the voluntary offers of service which have been made by several regiments of militia, we will immediately enter into consideration of such provisions as may be necessary for enabling his Majesty for a time, and to an extent to be limited, to accept of the services of such militia regiments as may wish to be employed at this important conjuncture.

[A similar message was presented to the House of Lords on the 18th June, and a similar address agreed to.]

In the House of Commons, on the 22d June, Lord George Cavendish moved for the appointment of a Committee to inquire into the disturbances at present subsisting in Ireland, and what means are necessary to be adopted for conciliating the people of that kingdom.

THE order of the day was moved upon this motion, and agreed to by a majority of 212 to 66.

In the House of Lords, on the 27th June, the Earl of Bedford moved,

THAT an humble address be presented to his Majesty, to state to his Majesty the humble advice and request of this House, that he would be graciously pleased to take into his royal consideration the calamitous state of his kingdom of Ireland; and that when, under the blessings of Divine Providence, the rebellion now existing in that kingdom shall have been suppressed, such a system of conciliation may be adopted as may tend most effectually and most speedily to restore to that afflicted country the blessings of peace and good government: and also to implore his Majesty, in the administration of the affairs of Ireland, to employ such persons as may possess the confidence of the people, and insure to them the permanence of a just and lenient system of government.

[The above motion was negatived by a majority of 51 to 21.]

On the same day the Duke of Bedford moved,

THAT this House, understanding it to be a matter of public notoriety, that the system of coercion has been enforced in Ireland with a rigour shocking to humanity; and particularly, that scourges and other tortures have been employed for the purpose of extorting confessions—a practice justly held in abhorrence in every civilized part of the world; and “That houses and buildings have been set fire to; a mode of punishment that can lead only to the most pernicious consequences, and that seldom or ever falls on the guilty, but, on the contrary, on the landlord, the wife and children of the criminals; who, however iniquitous the husband or father, ought always to be spared and protected;”—is of opinion, that an immediate stop should be put to practices so disgraceful to the British name; and that our best hopes of restoring tranquillity to Ireland must arise from a change of system, as far as depends on the executive government, together with a removal from their stations of those persons by whose advice those atrocities have been perpetrated, and with regard to whom the afflicted people of Ireland can feel no sentiments but those of resentment and terror.

[The above motion was negatived by a majority of 63 to 20.]

Against this decision of the House the following Protests were entered on the Journals.

Dissentient,

Die Mercurii, 27 Junii, 1798.

BECAUSE the House, having thought fit to reject the various motions respecting the calamitous situation of Ireland, which have
been

been submitted to their consideration, in the first instance for inquiry—in the second, for lenity and conciliation—and in the last, for putting an immediate stop at least to the rigorous proceedings of the army in Ireland, where, under the name of a system of coercion, we have reason to fear that atrocious cruelties have been practised, we think it our duty to record the nature of the evidence on which we have proceeded, and on which our conviction of the truth of the facts is founded, and on that evidence to appeal in our own justification to our country, to the world, and to posterity. We affirm, that the facts are undisputed, that the evidence of them is irresistible, and that the effects produced by this barbarous system convict the authors and advisers of such a total want of wisdom, even for their own pretended purposes, as can only be exceeded by the shocking cruelty of the principles avowed, and of the practice recommended by them.—We shall state some of the documents we refer to, in the order of time in which they have appeared, in order to show that this system of coercion has not been hastily resorted to on the spur of an instant necessity, but that it was deliberately resolved on long before it could be justified or palliated by any of the pretences or causes which have since been assigned in defence of it.

“ Dublin Castle, March 3, 1798.

“ His Excellency further authorizes you to employ force against any persons assembled in arms, not legally authorized so to be, and to disperse all tumultuous assemblies of persons, though they may not be in arms, without waiting for the sanction and assistance of the civil authority, if, in your opinion, the peace of the realm and the safety of his Majesty's faithful subjects may be endangered by waiting for such authority.

(Signed)

“ THOMAS PELHAM.”

On the 26th of February 1798, Sir Ralph Abercrombie declared in public orders, that “ the very disgraceful frequency of courts martial, and the many complaints of irregularities in the conduct of the troops in that kingdom, had too unfortunately proved the army to be in a state of licentiousness, which must render it formidable to every one but the enemy.”

On the 18th of April 1798, the following order was issued by Major-general Duff:

“ The Commander in Chief gives this public notice, that the Lord Lieutenant and Council have issued orders to him to quarter troops, to press horses and carriages, to demand forage and provisions, and to hold courts martial for the trial of offences of all descriptions, civil and military, with the power of confirming and carrying into execution the sentences of such courts martial, and to issue proclamations.

“ The

“ The Commander in Chief calls on all the general officers to procure of the magistrates the best accounts they can give of the number of arms taken from the yeomanry and the well-affected, of arms that have been concealed, and of pikes that have been made, which are to be recovered and taken possession of by the military.

“ They are also to communicate to the people through the priests, and by one or two men selected from each town-land, the purpose of the following notice.

“ That the order, if complied with, will be a sign of their general repentance; and not only forgiveness will follow, but protection.

“ That they must be sensible that it is infinitely better for them to remain at home, quietly minding their own affairs, than committing acts which must bring on the ruin of themselves and of their families.

“ As it will be impossible in some degree to prevent the innocent from suffering with the guilty, the innocent have means of redress, by informing against those who have engaged in unlawful associations, and robbing houses of arms and money.

“ The people must be very ignorant not to know, notwithstanding the fair promises of the French, that they have first deceived, and then plundered every country into which they have come. And they are therefore forewarned, that, in case of invasion from the French, if they should attempt to join the enemy, or communicate with him, or join in any insurrection, they will be immediately put to death, and their houses and properties destroyed.

“ The general officers call on the people to know why they should be less attached to the government now, than they were a year ago, when they showed so much loyalty in assisting his Majesty's troops to oppose the landing of the French. Is it not because they have been seduced by wicked men?

“ Why should they think themselves bound by oaths into which they have been seduced or terrified?

“ The people are requested to bring in their arms to the magistrates or commanding officers in the neighbourhood, who have directions to receive them, and no questions will be asked.

(Signed) “ JAMES DUFF, Maj. Gen.”

On the 7th of May 1798, the following orders were issued by Lieutenant-general Sir James Stewart:

“ Whereas it has been represented to Lieutenant-general Sir James Stewart, that in some parts of the country, where it has been necessary to station troops at free quarters for the restoration of public tranquillity, that general subscriptions of money have been

been entered into by the inhabitants to purchase provisions for the troops, by which means the end proposed, of making the burden fall as much as possible on the guilty, is entirely defeated, by making it fall in a light proportion on the whole, and thereby easing and protecting the guilty; it has been thought proper to direct, that whenever that practice has been adopted, or shall be attempted, the general officers commanding divisions of the southern district, shall immediately double, treble, or quadruple the number of soldiers so stationed, and shall send out regular foraging parties to provide provisions for the troops, in the quantities mentioned in the former notice, bearing date the 27th day of April 1798, and that they shall move them from station to station through the district or barony, until arms are surrendered, and tranquillity be perfectly restored, and until it is reported to the general officers, by the gentlemen holding landed property, and those who are employed in collecting the public revenues and tithes, that all rents, taxes, and tithes are completely paid up."

Adjutant General's Office, Cork, May 7, 1798.

On the 11th of June 1798, Major-general Nugent, after holding out certain offers and terms to the insurgents, proceeds to declare, "That, should the above injunctions not be complied with within the time specified, Major-general Nugent will proceed to set fire to and wholly destroy the towns of Killincy, Killileagh, Ballynahinch, Sallitfield, and every cottage and farmhouse in the vicinity of those places, carry off the stock and cattle, and put every one to the sword who may be found in arms.

"It particularly behoves all the well-affected persons who are now with the rebels from constraint, and who, it is known, form a considerable part of their numbers, to exert themselves in having these terms complied with, as it is the only opportunity there will be of rescuing themselves and properties from the indiscriminate vengeance of an army necessarily let loose upon them."

But, finally, the document which appears to us the most important of all, and to which we earnestly invite and press the attention of the House, is a public order issued about the middle of the present month of June 1798, in the following words:

"Major-general Morrison requests that officers commanding corps, will give the strictest orders to prevent setting fire to houses or buildings of any kind, a mode of punishment that can lead only to the most pernicious consequences, and that seldom or ever falls on the guilty, but on the contrary, on the landlord, the wife and children of the criminals, who, however iniquitous the husband or father, ought always to be spared and protected.

"And he has likewise received orders from Lieutenant-general Lake, that free quarters are no longer to be permitted, neither are foraging parties to be allowed to go out, unless under the

care of an officer, who is to be responsible for every act, in order that the friends of Government, the helpless and infirm, may not be involved in one indiscriminate mass of destruction with the rebellious and ill-disposed."

The prohibition contained in this order, wise and humane as it is, is equivalent to a history of all the horrible transactions it alludes to, and establishes the truth of them by evidence, which cannot be disputed or suspected, and also confirms in the strongest terms, and on the irresistible proof derived from practice and experience, that such a mode of punishment seldom or ever falls on the guilty, but on women and children, who ought always to be spared and protected; and that its principle, if not its only operation and effect, is to involve the friends of Government, the helpless and infirm, in one mass of destruction with the rebellious and ill-disposed.

BEDFORD.

WENTWORTH FITZWILLIAM,

PONSONBY.

HOLLAND.

ALBEMARLE.

KING.

THANET:

PROTEST.

Dissentient,

1. BECAUSE I was shocked that an address to the King, upon so awful a subject as the present state of Ireland, should have been rejected, without one single syllable being said by the King's ministers upon the subject.

2. Because I look back with pride to that law which our ancestors obtained, which says, "No free man shall be taken, or imprisoned, or dis seized of his freehold, or liberties, or free customs, or be outlawed, or exiled, or any otherwise destroyed. Nor will we not pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land. We will sell to no man. We will not deny or defer to any man either justice or right." And because I agree with the commentary of that great lawyer, Sir Edward Coke, upon this chapter of Magna Charta, wherein he says, "No man destroyed;" that is, fore-judged of life or limb, disherited, or put to torture or death. And because I think that to flog, picket, and half-hang any of our fellow-subjects, in order to extort confession, is "a putting to torture," and, therefore, not only outrageous to humanity, but directly against Magna Charta, the great corner-stone of our laws and liberties. And whoever have dared to put to torture any of our fellow-subjects in Ireland, or elsewhere, have violated the great charter, have betrayed their country, and ought speedily to

be

be brought to condign punishment, for these their treasonable and detestable practices. And whoever have dared openly and publicly to justify torture, upon the ground of policy, deserve the same execrations from their countrymen as have been usually given to the cruellest inquisitors of Rome.

3. Because, whenever our brethren and fellow-subjects in Ireland, or elsewhere, are flogged, picketed, half-hanged; and otherwise tortured, in order to extort confession, I hold it to be the bounden duty of every man, in his different station, to use all the legal means in his power to declare his abhorrence of such diabolical and tyrannical measures.

4. Because I hold, that when an Irishman is tortured, an Englishman is tortured; for the same men, who, in violation of the laws of their country, and of every dictate of humanity, dare to put Irishmen to torture, will not hesitate, when they think it expedient, to put Englishmen to torture also.

5. Because it is a moral truth that cannot be denied, that, if men have been driven, by flogging and by tortures, contrary to all law and reason, into open resistance, the guilt and consequences of that resistance are imputable to those who flog and torture, contrary to all law and reason, and not to those who are thereby driven to resistance.

6. Because to flog and torture men into open resistance, for the sake of employing a power in the hands of those who flog and torture, to crush that resistance, and thereby to make themselves more secure, is not only a refinement of cruelty, against which law, reason, justice, humanity, and nature, cry aloud; but which the experience of all times teaches us will never answer.

7. Because the history of the world tells us, that it is no small matter which provokes a people to throw off their allegiance; and that when they have thrown off their allegiance, attention to their just demands, and protection in the enjoyment of their rights, liberties, and properties, are the only means by which an allegiance worth having can be recovered.

8. Because I think the times call for a declaration of these principles, and that to act upon them is the only method of healing the present discontents, and preventing the speedy ruin of our country.

OXFORD and MORTIMER.

Speech of his Majesty on the 29th June 1798, to both Houses, on proroguing the Parliament.

My Lords and Gentlemen,

BY the measures adopted during the present session, you have amply fulfilled the solemn and unanimous assurance which I received from you at its commencement.

The example of your firmness and constancy has been applauded and followed by my subjects in every rank and condition in life: a spirit of voluntary and ardent exertion, diffused through every part of the kingdom, has strengthened and confirmed our internal security: the same sentiments have continued to animate my troops of every description; and my fleets have met the menaces of invasion by blocking up all our enemies in their principal ports.

Gentlemen of the House of Commons,

The extensive and equitable scheme of contribution, by which so large a share of our expenses will be defrayed within the year, has defeated the expectations of those who had vainly hoped to exhaust our means, and to destroy our public credit. You have been enabled to avail yourselves of farther resources from a commerce increased in extent and vigour, notwithstanding the difficulties of war, and have had the singular satisfaction of deriving, at the same moment, large additional aid from individual exertions of unexampled zeal, liberality, and patriotism.

The provision which has been made for the redemption of the land-tax, has also established a system which, in its progressive operation, may produce the happiest consequences, by the increase of our resources, the diminution of our debt, and the support of public credit.

My Lords and Gentlemen,

The designs of the disaffected, carried on in concert with our inveterate enemies, have been unremittingly pursued; but have been happily and effectually counteracted in this kingdom, by the general zeal and loyalty of my subjects.

In Ireland they have broken out into the most criminal acts of open rebellion. Every effort has been employed on my part to subdue this dangerous spirit, which is equally hostile to the interests and safety of every part of the British empire. I cannot too strongly commend the unshaken fidelity and valour of my regular, fencible, and militia forces in Ireland; and that determined spirit with which my yeomanry and volunteer forces of that kingdom have stood forward in the defence of the lives and properties of their fellow-subjects, and in support of the lawful government.

The striking and honourable proof of alacrity and public spirit, which so many of my fencible and militia regiments in this kingdom have manifested on this occasion, has already received the fullest testimony of the approbation of Parliament.

This conduct, personally so honourable to the individuals, affords the strongest pledge, both of the military ardour which actuates this valuable part of our national defence, and of their af-

fectionate

sectionate concern for the safety and happiness of Ireland, which are essentially connected with the general interests of the British empire.

With the advantage of this support, and after the distinguished and important success which has recently attended the operations of my arms against the principal force of the rebels, I trust the time is fast approaching, when those now seduced from their allegiance will be brought to a just sense of the guilt they have incurred, and will entitle themselves to forgiveness, and to that protection which it is my constant wish to afford to every class and condition of my subjects, who manifest their desire to pay a due obedience to the laws.

This temporary interruption of tranquillity, and all its attendant calamities, must be attributed to those pernicious principles which have been industriously propagated in that country, and which, wherever they have prevailed, have never failed to produce the most disastrous effects.

With such warnings before us, sensible of the danger which we are called upon to repel, and of the blessings we have to preserve, let us continue firmly united in a determined resistance to the designs of our enemies, and in the defence of that constitution which has been found by experience to insure to us, in so eminent a degree, public liberty, national strength, and the security and comfort of all classes of the community.

It is only by perseverance in this line of conduct, that we can hope, under the continuance of that divine protection which we have so abundantly experienced, to conduct this arduous contest to a happy issue, and to maintain, undiminished, the security, honour, and lasting prosperity of the country.

His Majesty's most gracious Speech to both Houses at the Meeting of Parliament, on the 20th November 1798.

My Lords and Gentlemen,

THE events which have taken place in the course of the present year, and the signal success which, by the blessing of Providence, has attended my arms, have been productive of the happiest consequences, and have essentially promoted the prosperity and glory of our country.

The unexampled series of our naval triumphs has received fresh splendour from the memorable and decisive action in which a detachment of my fleet, under the command of Rear-admiral Lord Nelson, attacked and almost totally destroyed a superior force of the enemy, strengthened by every advantage of situation; by this great and brilliant victory, an enterprise, of which the injustice, perfidy, and extravagance, had fixed the attention of the

the world, and which was peculiarly directed against some of the most valuable interests of the British empire; has, in the first instance, been turned to the confusion of its authors; and the blow thus given to the power and influence of France has afforded an opening which, if improved by suitable exertions on the part of other powers, may lead to the general deliverance of Europe.

The wisdom and magnanimity so eminently displayed at this conjuncture by the Emperor of Russia, and the decision and vigour of the Ottoman Porte, have shown that those powers are impressed with a just sense of the present crisis; and their example, joined to the disposition manifested almost universally in the different countries struggling under the yoke of France, must be a powerful encouragement to other states to adopt that vigorous line of conduct which experience has proved to be alone consistent with security or honour.

The extent of our preparations at home, and the demonstrations of zeal and spirit among all ranks of my subjects, have deterred the enemy from attempting to execute their vain threat of invading the coasts of this kingdom.

In Ireland, the rebellion which they had instigated has been curbed and repressed; the troops which they landed for its support have been compelled to surrender; and the armaments since destined for the same purpose have, by the vigilance and activity of my squadrons, been captured or dispersed. The views and principles of those who, in concert with our inveterate enemy, have long planned the subversion of our constitution, have been fully detected and exposed, and their treasons made manifest to the world. Those whom they had misled or seduced, must now be awakened to their duty; and a just sense of the miseries and horror which these traitorous designs have produced, must impress on the minds of all my faithful subjects the necessity of continuing to repel, with firmness, every attack on the laws and established government of their country.

Gentlemen of the House of Commons,

Under the unavoidable pressure of protracted war, it is a great satisfaction to me to observe, that the produce of the public revenue has proved fully adequate to the increase of our permanent expenditure; that the national credit has been maintained and improved; and that the commerce and industry of my subjects have continued to flourish in a degree hitherto unknown.

The situation in which we are placed, unhappily renders the continuance of heavy expenses indispensable for the public safety. But the state of our resources, and the good sense and public spirit which prevail through every part of my kingdom, will, I trust, enable you to provide the necessary supplies without essential

tial inconvenience to my people, and with as little addition as possible to the permanent burdens of the state. The progress made towards such a system by the measures adopted in the last session, and the aid given to public credit by the plan for the redemption of the land-tax, have been attended with the most beneficial effect, which you will, I am persuaded, omit no opportunity to confirm and improve.

My Lords and Gentlemen,

I rely with confidence on the continuance of your exertions, to enable me ultimately to conduct the great contest in which we are engaged to a safe and honourable conclusion.

We have surmounted many and great difficulties. Our perseverance in a just cause has been rewarded with distinguished success; and our present situation, compared with that of other countries, sufficiently proves how much, in a period of general danger and calamity, the security and happiness of the British nation have depended (under the blessing of Providence) on its own constancy, its energy, and its virtue.

In the House of Commons the following Address was moved by Lord Levison Gower, seconded by Sir Henry St. John Mildmay, and carried.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Commons of Great Britain, in Parliament assembled, beg leave to return your Majesty the thanks of this House for your most gracious speech from the throne; and to congratulate your Majesty on the signal success which, by the blessing of Providence, has attended your Majesty's arms, particularly on the memorable and decisive action in which a detachment of your Majesty's fleet, under the command of Rear-admiral Lord Nelson, attacked, and almost totally destroyed, a superior force of the enemy, strengthened by every advantage of situation.

It is with just pride and exultation that we observe, that, by this great and brilliant victory, an enterprise, of which the injustice, perfidy, and extravagance had fixed the attention of the world, and which was peculiarly directed against some of the most valuable interests of the British empire, has, in the first instance, been turned to the confusion of its authors; and we entertain an earnest hope, that the blow thus given to the power and influence of France, the laudable example beld out by the Emperor of Russia and the Ottoman Porte, and the disposition manifested in the different countries struggling under the yoke of France, may encourage other powers to adopt that vigorous line of conduct which experience has shown to be alone consistent with the security and honour of independent states, and which, if generally adopted, may lead to the deliverance of Europe.

We

We are fully sensible of the peculiar advantages derived to this kingdom from the extent of our preparations at home, and from the general demonstrations of zeal and spirit among all ranks of your Majesty's subjects; and we have seen, with the greatest satisfaction, the effect of the measures adopted in Ireland for repressing a rebellion instigated by our inveterate enemy; the surrender of the French troops landed for its support; and the successful vigilance and activity of your Majesty's squadrons in capturing or dispersing the armaments since destined for the same purpose.

We are anxious to testify to your Majesty the abhorrence and indignation with which we have observed the desperate principles and practices of those who have long planned the subversion of our constitution, which have now been fully detected and made manifest to the world; and we cannot but express our firm persuasion, that those who had been misled or seduced must now be awakened to their duty, and that a just sense of the miseries and horrors which these traitorous designs have produced must impress on the minds of all your Majesty's faithful subjects the necessity of continuing to repel with firmness every attack on the laws and established government of their country.

We shall not fail diligently to apply ourselves to the consideration of such measures as may provide the necessary supplies with as little inconvenience to your people, and as little addition to the permanent burdens of the state, as the circumstances will admit; and, under the unavoidable pressure of protracted war, while we join with your Majesty in regretting the indispensable necessity of heavy expenses, we shall derive the greatest satisfaction and confidence from the productive state of the revenue, the maintenance and improvement of public credit, and the extent and prosperity of the commerce and industry of your Majesty's subjects; and that we shall eagerly avail ourselves of every opportunity to cultivate and improve advantages so important to the public safety and welfare.

We embrace with satisfaction the opportunity of thus renewing to your Majesty the solemn assurances of our firm and unalterable determination to persevere in those exertions which may enable your Majesty to conduct the great contest in which we are engaged to a safe and honourable conclusion. Animated by a like sense of the difficulties we have surmounted, and of the distinguished success which has rewarded our perseverance in a just cause, we shall uniformly maintain those principles, an adherence to which, in a period of general danger and calamity, has procured to us the advantages of our present situation, and will, we trust, under every vicissitude, continue to prove that the security and happiness of the British nation find the surest support (under the blessing of Providence) in its own constancy, its energy, and its virtue.

To the foregoing Address his Majesty returned the following most gracious Answer.

Gentlemen,

I RETURN you my particular thanks for this loyal and dutiful address ; and receive, with the greatest satisfaction, your congratulations on the late glorious events, and the declaration of your firm adherence to those wise and honourable principles which have uniformly guided your conduct. The perseverance and firmness of Parliament, and the zeal and spirit of my people, will give additional weight to my exertions in endeavouring to improve the advantages which this country and Europe have every reason to expect from the happy consequences of the success of my arms, and from the present state and disposition of other powers.

In the House of Lords the following Address was moved by the Earl of Darnley, seconded by Lord Craven, and carried unanimously.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, in Parliament assembled, beg leave to approach your Majesty with our humble thanks for your Majesty's most gracious speech from the throne.

We beg leave to offer to your Majesty our heart-felt congratulations on the glorious and decisive victory obtained by your Majesty's fleet under the command of Rear-admiral Lord Nelson over an enemy superior in force, and in the advantage of situation ; an achievement which has even added fresh splendour to the unexampled series of your Majesty's naval triumphs. While this memorable success has, in the first instance, turned to the confusion of the enemy an enterprise not more distinguished by its injustice, perfidy, and extravagance, than by the inveterate hostility of its authors against every British interest, we entertain a just hope, that the blow now given to the power and influence of the enemy will be decisive in its effects ; that the opening thus afforded will be improved by other powers, to the maintenance of their own independence and security ; and that the wise and dignified example of the Emperor of Russia, and of the Ottoman Porte, will be followed by such effectual and united exertions, as are alone suited to the present crisis, and as are best calculated to produce the general deliverance of Europe.

Permit us to assure your Majesty, that, while we feel our hearts and hopes thus elated by the brilliant success which has crowned your Majesty's arms abroad, we congratulate your Majesty no less sincerely on the uninterrupted state of security in which this kingdom has been preserved against the vain threats of the enemy, by the extent of your Majesty's military preparations ; and still

more by the zeal and spirit which animate all ranks of your Majesty's subjects in the cause of their country.

Nor have we seen with less satisfaction the entire disappointment of the attempts of our enemies against your Majesty's kingdom of Ireland, the defeat and surrender of the force which they had disembarked for the support of a rebellion intigated by themselves, and the capture or dispersion of the armaments destined for the same object ; and we trust, that the rebellion, thus cut off from foreign assistance, and curbed and repressed, as it has been, by the vigour of your Majesty's councils, and the gallantry of your Majesty's troops, will, ere long, be finally extinguished.

We are anxious to declare to your Majesty, and to the world, our abhorrence of the views and principles of those who, in concert with our inveterate enemy, had planned the subversion of the constitution of their country ; and we cannot but feel persuaded, that the complete exposure of these treasons must awaken the devoted to a sense of their duty, and must impress still more strongly on the minds of all your Majesty's subjects, the necessity of supporting, against every attack, the laws and government of their country.

Convinced of the extent and value of the blessings which, under your Majesty's happy and paternal government, we have to defend, and confident in the resources and spirit of our country, we have encountered with cheerfulness many and great difficulties. These, by the blessing of Providence on your Majesty's dignified firmness and perseverance in a just cause, have happily been surmounted. Animated by this success, encouraged by the comparative situation of our country, and, above all, deeply impressed with a sense of that duty which is incumbent on every individual in a period of such general danger and calamity, we will not relax our exertions, but will, to the utmost of our power, support your Majesty in every measure which may best contribute to deliver unimpaired to posterity, the security, independence, happiness, and honour of the British empire.

The following is his Majesty's most gracious Answer to the above Address.

My Lords,

I RECEIVE with the highest satisfaction this dutiful and loyal address.

Your congratulations on the brilliant successes with which it has pleased Providence to reward our exertions, are particularly agreeable to me ; and I trust that the honourable and dignified perseverance of my Parliament and my people will, both by example and effect, materially contribute to restore the independence of Europe, and to insure to these kingdoms the blessings of secure and honourable peace.

APPEN-

APPENDIX.

HISTORY OF THE WAR.

From the LONDON GAZETTE EXTRAORDINARY,
Friday, October 13, 1797.

Admiralty Office, October 13.

LIEUTENANT Brodie, of the *Rose* cutter, arrived early this morning with a letter from Admiral Duncan, commander in chief of his Majesty's ships, &c. employed in the North Sea, to Evan Nepean, Esq. of which the following is a copy:

*Venerable, off the Coast of Holland, the 12th of October, by Log (11th),
three P. M. Camperdown, E.S.E. eight Miles, Wind N. by E.*

Sir,

I HAVE the pleasure to acquaint you, for the information of the Lords Commissioners of the Admiralty, that at nine o'clock this morning I got sight of the Dutch fleet; at half past twelve I passed through their line, and the action commenced, which has been very severe. The admiral's ship is dismasted, and has struck, as have several others, and one is on fire.

I shall send Captain Fairfax with particulars the moment I can spare him.

I am, Sir,

Your most obedient, humble servant,

ADAM DUNCAN.

From the LONDON GAZETTE, Oct. 14, 1797.

Admiralty Office, October 13.

Extract of a Letter from Admiral Sir Richard King, Bart. Commander in Chief of his Majesty's Ships and Vessels at Plymouth, to Mr. Nepean, dated the 11th inst.

I HEREWITH transmit, for their Lordships' information, a letter which I received this morning from Lieutenant Tomlinson, commanding the Speedwell lugger, giving an account of his having captured a French cutter privateer, carrying two brass six-pounders, two swivels, and eighteen men.

Sir,

Speedwell, at Sea, October 10, 1797.

I HAVE the honour to inform you, the Start bearing north about nine leagues, we fell in with, this morning, and, after a chase of six hours, captured Les Amies, a small French cutter privateer, having on board two brass six-pounders, two swivels, and eighteen men; out four days from Granville, and had not taken any thing.

I have the honour to be, &c.

ROB. TOMLINSON.

Sir Richard King, Bart. &c.

Admiralty Office, Oct. 14.

Copy of a Letter from Vice-Admiral Kingsmill, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Ireland, to Evan Nepean, Esq. dated the 5th of October 1797.

Sir,

I REQUEST you will inform my Lords Commissioners of the Admiralty, that Captain Faulknor, of his Majesty's ship Diana, has sent in a coppered French cutter privateer, Le Flibustier, of four guns, five swivels, and twenty-nine men, out of Bourdeaux fifty-two days, but which had not made any capture.

I have the honour to be, &c.

R. KINGSMILL.

Admiralty Office, Oct. 14.

Copy of a Letter from Vice-Admiral Kingsmill, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Ireland, to Evan Nepean, Esq. dated at Cork, the 9th of October 1797.

Sir,

PLEASE to inform my Lords Commissioners of the Admiralty, that his Majesty's ship Cerberus is just returned from a cruise, in which she has captured the San Noberta Spanish privateer schooner, of four carriage guns and swivels, and forty-two men, and recaptured the Graff, a Danish

Danish ship, having on board a Portuguese cargo of iron and grain, from **St. Michael's**, bound to Lisbon.

I have the honour to be, &c.

R. KINGSMILL.

Extract of a Letter from Captain Roberts, Commander of his Majesty's Ship La Concorde, to Evan Nepean, Esq. dated at Madeira, the 7th of August 1797.

BE pleased to inform my Lords Commissioners of the Admiralty, that at break of day on the 24th ult. (Cape Finisferre bearing S. E. by E. distant about forty leagues) I fell in with and captured the brigantine *Le Poisson Volant* letter of marque, Captain Latarte, laden with wines and different kinds of merchandise, from Bourdeaux, bound to Guadaloupe; she is pierced for eight guns, but had only four on board; is new coppered, and was fitted out with the intention, after landing her cargo in the West Indies, to cruise in those seas as a privateer, where, from her superior sailing, she probably would have done considerable mischief, as she sails much better than the *Concorde* in light winds, and was taken by being fortunately within reach of our guns when first seen.

From the LONDON GAZETTE, Oct. 16, 1797.

Admiralty Office, Oct. 14.

Copy of a Letter from Sir Richard King, Bart. Commander in Chief of his Majesty's Ships and Vessels at Plymouth, to Evan Nepean, Esq. Secretary of the Admiralty, dated on board the Cambridge, in Hamoaze, the 15th instant.

Sir,

THIS afternoon arrived here *La Decouverte* French national brig, of fourteen guns and ninety-one men, prize to his Majesty's ship *United*, out three days from Nantz, supposed to be bound to Guadaloupe with secret dispatches, which they threw overboard in chase, and ten of her guns.

I have the honour to be, Sir, &c.

R. KING.

Copy of another Letter from Admiral Sir Richard King, Bart. to Evan Nepean, Esq. dated on board the Cambridge, in Hamoaze, the 15th instant.

Sir,

I HEREWITH transmit, for their Lordships' information, a letter I have received this morning from Lieutenant Tomlinson, commanding his Majesty's hired lugger *Speedwell*, giving an account of his having captured a French lugger privateer, carrying six brass six-pounders, six swivels, and thirty-five men.

The above vessel is arrived here.

I am, &c.

R. KING.

*Speedwell, at Sea, October 13, 1797, Start
N. N. E. five or six Leagues.*

Sir,

I HAVE the honour to inform you, that, after a chase of five hours, we have this day captured the *Telemachus*, French lugger privateer, mounting six brass six-pounders on carriages, and six swivels: she had on board thirty-five men. I cannot learn that she has taken any thing, except a Danish brig. I have put some men on board the *Telemachus*, and sent her to Plymouth.

I have the honour to be, &c.

ROB. TOMLINSON.

Sir Richard King, Bart. &c.

From the LONDON GAZETTE EXTRAORDINARY,

Monday, October 16, 1797.

Admiralty Office, October 16.

CAPTAIN Fairfax, of the Venerable, arrived early this morning with dispatches from Adam Duncan, Esq. admiral of the blue, commander in chief of his Majesty's ships, &c. employed in the North Sea, to Evan Nepean, Esq. secretary of the Admiralty, of which the following are copies:

*Venerable, at Sea, 13th October 1797, off the
Coast of Holland.*

Sir,

BE pleased to acquaint the Lords Commissioners of the Admiralty, that, judging it of consequence their Lordships should have as early information as possible of the defeat of the Dutch fleet under the command of Admiral De Winter, I dispatched the *Rose* cutter at three P. M. on the 12th (11th) instant, with a short letter to you immediately after the action was ended. I have now further to acquaint you, for their Lordships' information, that in the night of the 10th instant, after I had sent away my letter to you of that date, I placed my squadron in such situation as to prevent the enemy from returning to the Texel without my falling in with them. At nine o'clock in the morning of the 11th I got sight of Captain Trollope's squadron, with signals flying for an enemy to leeward; I immediately bore up, and made the signal for a general chase, and soon got sight of them, forming in a line on the larboard tack to receive us, the wind at N. W. As we approached near, I made the signal for the squadron to shorten sail, in order to connect them; soon after I saw the land between Camperdown and Egmont, about nine miles to leeward of the enemy, and finding there was no time to be lost in making the attack, I made the signal to bear up, break the enemy's line, and engage them to leeward, each ship her opponent, by which I got between them and the land, whither they were fast approaching. My signals were obeyed with great promptitude, and Vice-admiral Onflow, in the *Monarch*, bore down on the enemy's rear in the most gallant manner, his division following his example; and the action commenced about forty minutes past twelve o'clock. The Venerable soon got through the enemy's line, and I began a close action, with my division on their van,
which

which lasted near two hours and a half, when I observed all the masts of the Dutch admiral's ship to go by the board; she was, however, defended for some time in a most gallant manner; but being overpressed by numbers, her colours were struck, and Admiral De Winter was soon brought on board the Venerable. On looking around me, I observed the ship bearing the vice-admiral's flag was also dismasted, and had surrendered to Vice-admiral Onslow: and that many others had likewise struck. Finding we were in nine fathoms water, and not farther than five miles from the land, my attention was so much taken up in getting the heads of the disabled ships off shore, that I was not able to distinguish the number of ships captured; and the wind having been constantly on the land since, we have unavoidably been much dispersed, so that I have not been able to gain an exact account of them, but we have taken possession of eight or nine; more of them had struck, but taking advantage of the night, and being so near their own coast, they succeeded in getting off, and some of them were seen going into the Texel the next morning.

It is with the greatest pleasure and satisfaction I make known to their Lordships the very gallant behaviour of Vice-admiral Onslow, the captains, officers, seamen, and marines of the Squadron, who all appeared actuated with the truly British spirit, at least those that I had an opportunity of seeing.

One of the enemy's ships caught fire in the action, and drove very near the Venerable; but I have the pleasure to say it was extinguished, and she is one of the ships in our possession. The Squadron has suffered much in their masts, yards, and rigging, and many of them have lost a number of men; however, in no proportion to that of the enemy. The carnage on board the two ships that bore the admirals' flags has been beyond all description; they have had no less than 250 men killed and wounded on board of each ship. And here I have to lament the loss of Captain Burgeis, of his Majesty's ship the Ardent, who brought that ship into action in the most gallant and masterly manner, but was unfortunately killed soon after. However, the ship continued the action close, until quite disabled. The public have lost a good and gallant officer in Captain Burgeis, and I, with others, a sincere friend.

Captain Trollope's exertions and active good conduct in keeping sight of the enemy's fleet until I came up, have been truly meritorious, and, I trust, will meet a just reward.

I send this by Captain Fairfax, by whose able advice I profited much during the action, and who will give their Lordships any further particulars they may wish to know.

As most of the ships of the Squadron are much disabled, and several of the prizes dismasted, I shall make the best of my way with them to the Nore.

I herewith transmit you a list of killed and wounded on board such of the Squadron as I have been able to collect; a list of the enemy's fleet opposed to my Squadron, and my line of battle on the day of action.

I am, Sir,

Your most obedient humble servant,

ADAM DUNCAN.

A List of killed and wounded on board the Ships of Admiral Duncan's Squadron, in an Action with the Dutch on the 11th of October 1797.

Venerable.—13 seamen, 2 marines, killed; 6 officers, 52 seamen, 4 marines, wounded. Total 77.

Monarch.—2 officers, 34 seamen, killed; 9 officers, 79 seamen, 12 marines, wounded. Total 136.

Bedford.—2 midshipmen, 26 seamen, 2 marines, killed; 1 lieutenant, 37 seamen, 3 marines, wounded. Total 71.

Powerful.—8 seamen, 2 marines, killed; 4 officers, 74 seamen and marines, wounded. Total 88.

Ifis.—1 seaman, 1 marine, killed; 3 officers, 18 seamen, wounded. Total 23.

Ardent.—2 officers, 33 seamen, 6 marines, killed; 8 officers, 85 seamen, 11 marines, 3 boys, wounded. Total 148.

Agincourt.—None killed or wounded.

Belliqueux.—2 officers, 20 seamen, 3 marines, killed; 3 officers, 63 seamen, 12 marines, wounded. Total 103.

Lancaster.—3 seamen killed; 2 officers, 13 seamen, 3 marines, wounded. Total 21.

Triumph.—25 seamen, 3 marines, 1 boy, killed; 5 officers, 50 seamen and marines, wounded. Total 84.

Officers killed.

Monarch.—Mr. J. P. Tindall and Mr. Moyle Finlay, midshipmen.

Ardent.—Captain Burgefs; Mr. Michael Dunn, master.

Belliqueux.—Lieutenant Robert Webster; Mr. James Milne, master's mate.

Officers wounded.

Venerable.—Lieutenants Clay and Douglas; Lieutenant Chambers of the marines; Mr. Stewart, midshipman; Mr. Brown, pilot.

Monarch.—Lieutenant Retalick; Lieutenant Smith of the marines; Mr. George Massie, Mr. Benjamin Clement, Mr. Daniel Sherwin, Mr. Charles Slade, midshipmen; Mr. John Chimley, master's mate.

Bedford.—Lieutenant Keenor.

Powerful.—Lieutenant Jennings; Mr. Mel. Jones, boatswain; Mr. Daniel Rogers, midshipman; Lieutenant Walker of the marines.

Ifis.—Lieutenant Charles Rea of the marines; Mr. Simon Frazer and Mr. John Walker, midshipmen.

Ardent.—Lieutenant James Rose, Lieutenant John Sobriel; Captain Cuthbert of marines; Mr. John Tracy, master's mate; Mr. John Airey, master's mate; Mr. Thomas Leopard, midshipman; Mr. John Taylor, captain's clerk, slightly; Mr. George Killiar, midshipman, slightly.

Belliqueux.—Lieutenant Robert England, slightly; Captain James Caffel of marines, slightly; Mr. James Scott, midshipman.

Lancaster.—Lieutenant Morgan, Lieutenant Sandys of the marines.

Triumph.—Captain Effington, slightly in the arm; Mr. Chapman, first lieutenant, slightly in the head; Mr. Trollope, third lieutenant, slightly in the foot; Mr. Read, master, slightly bruised; Mr. Jones, midshipman, slightly in the face.

ADAM DUNCAN.

List and Disposition of the Dutch Fleet on the 11th of October 1797.

VAN.

Vice-Admiral Reyntjes Commander.

- Cerberus, Captain Jacobson, 68 guns, 450 men.
 Delft, Captain Verdoon, 56 guns, 375 men.—Taken.
 Jupiter, Vice-admiral Reyntjes and Rear-admiral Meusen, 74 guns,
 550 men.—Taken.
 Alkmaar, Captain Kraft, 56 guns, 350 men.—Taken.
 Haerlem, Captain Wiggetts, 68 guns, 450 men.—Taken.
 Munikkendam, Captain Laucalter, 44 guns, 270 men.—Taken.
 Heldin, Captain Dumisnilde L'Eeftrille, 32 guns, 230 men.
 Daphne brig, Lieutenant Fredericks, 18 guns, 98 men.

CENTRE.

Admiral De Winter, Commander in Chief.

- Wassenaer, Captain Holland, 64 guns, 450 men.—Taken.
 Batavier, Captain Soutere, 56 guns, 350 men.
 Vryheid (the Liberty), Admiral De Winter Van Rossem, 74 guns,
 550 men.—Taken.
 States General, Rear-Admiral Story, 74 guns, 550 men.
 Leyden, Captain Mulquetier, 68 guns, 450 men.
 Mars, Captain Kalff, 44 guns, 400 men.
 Waaksaamheid, Captain-Lieutenant Nicrop, 24 guns, 150 men.
 Minerva, Captain Eilbracht, 24 guns, 150 men.
 Galatea brig, Lieutenant Rivery, 18 guns, 98 men.
 Atalanta brig, Lieutenant Plets, 18 guns, 98 men.

REAR.

Rear-Admiral Bloys Commander.

- Admiral Devries, Captain Zegers, 68 guns, 450 men.—Taken.
 Hercules, Captain Van Ryfoort, 64 guns, 450 men.—Taken.
 Brutus, Rear-admiral Bloys, 74 guns, 550 men.
 Beschermmer, Captain Hinxt, 56 guns, 350 men.
 Gelykheid (the Equality), Captain Ruysen, 68 guns, 450 men.—
 Taken.
 Ambuscade, Captain-lieutenant Huys, 32 guns, 270 men.—Taken.
 Ajax brig, Lieutenant Arkenbout, 18 guns, 98 men.
 Haasje (Aviso), Lieutenant Hartenfeld, 6 guns, 35 men.

ADAM DUNCAN.

N. B. Another line of battle ship, reported to be taken, name unknown.

Disposition of the Squadron, in the Order of Battle, on the 11th of October 1797.

LARBOARD, OR LEE DIVISION.

Richard Onslow, Esq. Vice-Admiral of the Red, Commander.

1. Ruffel, Henry Trollope, captain, 74 guns, 590 men.
2. Director, William Bligh, captain, 64 guns, 491 men.
3. Montague, John Knight, captain, 74 guns, 590 men.

4. Ve-

4. Veteran, George Gregory, captain, 64 guns, 491 men.
5. Monarch, Vice-admiral Onslow, Edward O'Bryen, captain, 74 guns, 599 men.
6. Powerful, William O'Bryen Drury, captain, 74 guns, 590 men.
7. Monmouth, James Walker, captain, 64 guns, 491 men.
8. Agincourt, John Williamfon, captain, 64 guns, 491 men.

REPEATERS.

Beaulieu frigate. Cutters—Rose, King George, Active, Diligent.
—Speculator lugger.

STARBOARD, OR WEATHER DIVISION.

Adam Duncan, Esq. Admiral of the Blue, and Commander in Chief,
&c. &c. &c.

9. Triumph, William Henry Effington, captain, 74 guns, 640 men.
10. Venerable, Admiral Duncan, William George Fairfax, captain, 74 guns, 593 men.
11. Ardent, Richard R. Burges, captain, 64 guns, 491 men.
12. Bedford, Sir Thomas Byard, captain, 74 guns, 590 men.
13. Lancaster, John Wells, captain, 64 guns, 491 men.
14. Bellicieux, John Inglis, captain, 64 guns, 491 men.
15. Adamant, William Hotham, captain, 50 guns, 343 men.
16. Isis, William Mitchell, captain, 50 guns, 343 men.

REPEATERS.

Circe frigate—Martin sloop.

ADAM DUNCAN.

Sir,

Venerable, off Orfordness, Oct. 15, 1797.

IN addition to my letter of the 13th instant, containing the particulars of the action of the 11th, and which I have not been able to send away until this day, I have to acquaint you, for the information of the Lords Commissioners of the Admiralty, that, from the wind continuing to blow on the Dutch coast, the ships have had great difficulty in keeping off the shore, and that we have unavoidably been separated.—On Friday last the wind blew strong from the W.S.W. to the W.N.W. and continued so to do until Saturday morning; it then shifted to the north, when I made the signal to wear, stood to the westward, and fortunately anchored here last evening, the Venerable being so leaky, that, with all her pumps going, we could but just keep her free. This morning I observed the ships named in the margin * at anchor near us, three near the Kentish Knock, and three in Holes Bay. The wind is at N. W. and much against the disabled ships; I have therefore sent the Lancaster and Beaulieu out, to render them assistance.

Sir Thomas Williams, in the Endymion, who joined me the day after the action, I also sent in shore, to keep by and assist the disabled ships; and I am informed that, in the course of the night, he fell in

* Monarch, Powerful, Lancaster, Beaulieu.

with

with a Dutch ship of the line off the Texel, and had engaged her, but I have not heard the particulars.

I am, Sir,

Your most obedient humble servant,

Evan Nepean, Esq.

ADAM DUNCAN.

From the LONDON GAZETTE, Oct. 28, 1797.

Admiralty Office, October 28.

Copy of a Letter from Captain Charles Rowley, Commander of his Majesty's Ship Unité, to the Right Honourable Lord Bridport, K. B. dated at Sea, the 9th instant.

My Lord,

I HAVE the honour to acquaint your Lordship, that, in latitude 46 deg. 10 min. north, and longitude 5 deg. 35 min. west, I captured the national corvette Decouverte, of 14 guns and 90 men, commanded by Monf. Martineneq, Lieutenant de Vaisseau, four days from Nantes, charged with secret dispatches, which he threw overboard, with ten of her guns, in the chase.

I have the honour to be, &c.

CHA. ROWLEY.

From the LONDON GAZETTE, Oct. 31, 1797.

Admiralty Office, October 31.

Extract of a Letter from the Right Hon. Admiral Lord Bridport, K. B. to Evan Nepean, Esq. dated on board his Majesty's Ship Royal George, at Sea, the 26th of October 1797.

HEREWITH you will receive, for their Lordships' information, the copy of a letter from Captain Yorke, of his Majesty's ship Stag, stating his having destroyed Le Cocyte French lugger privateer.

Sir,

Stag, at Sea, October 5, 1797.

I HAVE the honour to acquaint you, that, on the 30th of September, his Majesty's ship Stag fell in with and destroyed Le Cocyte, French lugger privateer, of four guns and thirty men, off Plymouth, out ten days from Morlaix, without taking any thing.

I have the honour to be, &c.

JOS. YORKE.

Admiralty Office, October 31.

Copy of a Letter from Captain James O'Bryen, Commander of his Majesty's Sloop Childers, to Evan Nepean, Esq. dated Plymouth, October 28, 1797.

Sir,

I HAVE the honour to acquaint you with my arrival here with Le Furet, French schooner privateer, mounting four four-pounders, pierced for fourteen, carrying fifty men, a remarkable swift sailer; she was captured by the Triton, Childers in company, on Tuesday the 24th, between the

Isle of Bas and Alreverak, on her return to Treguier, after a three weeks cruise, during which she had made but one capture.

I have the honour to be, &c.

JAMES O'BRYEN.

From the LONDON GAZETTE, Nov. 11, 1797.

Admiralty Office, Nov. 11.

Copy of a Letter from Admiral the Earl St. Vincent, Commander in Chief of his Majesty's Ships and Vessels employed on the Coast of Portugal, to Esq. Nepean, Esq. dated on board the Ville de Paris, in the Tagus, October 27, 1797.

Sir,

I ENCLOSE herewith copies of letters I have received from Captain Downman and Captain Pierrepont, giving an account of the capture of two of the enemy's privateers by his Majesty's sloops the Speedy and King's Fisher.

I am, &c.

ST. VINCENT.

My Lord,

Speedy, off Oporto, Sept. 18, 1797.

I HAVE the honour to inform you, that on the 13th inst. his Majesty's sloop Speedy captured the Palma, a Spanish schooner privateer, off Ville de Conde, mounting two three-pounders and four swivels, with twenty-eight men. She had been eight days from Vigo, and had not taken any thing.

HUGH DOWNMAN.

My Lord,

King's Fisher, Sept. 16, 1797.

I BEG leave to acquaint your Lordship, that yesterday morning, off Camina, I fell in with and captured the French lugger privateer L'Espoir, mounting two carriage guns and four swivels, and manned with thirty-nine men; out thirteen days from Rochelle, but had not made any capture.

I have the honour to be, &c.

C. H. PIERREPONT.

Admiralty Office, Nov. 11.

Copy of a Letter from Captain H. Digby, Commander of his Majesty's Ship Aurora, to the Earl St. Vincent, Commander in Chief of his Majesty's Ships and Vessels employed on the Coast of Portugal, dated at Sea, the 7th of September 1797.

My Lord,

I HAVE the honour to acquaint you of the capture of L'Aigle French privateer, mounting twelve guns, and seventy-seven men, commanded by Louis Daroche, nine days from Rochelle; had taken nothing.

I have the honour to be, &c.

H. DIGBY.

Copy of a Letter from Captain Tyler to the Earl St. Vincent, dated on board his Majesty's Ship L'Aigle, Tagus, September 7, 1797.

My Lord,

I HAVE the honour to inform your Lordship, that on the 30th of July last, off Cape Finisterre, the Boston in company, we captured a French lugger

ligger, called the Hazard, of eight guns and fifty men, belonging to Bayonne, and last from Corunna; made no captures. August the 13th last, I captured the French lugger La Manche, eight guns and eight swivels, and forty-nine men, belonging to Nantes; out thirteen days, made no captures. On the 17th of the same month, observing two vessels working into the Bay of Lax, I ordered the lugger to cut them out. The weather not proving favourable, one of them, a brig laden with rice, could not be brought off. I took the rice out, and burnt the vessel. The property was Spanish, bound for Corunna.

CHA. TYLER.

Sir, *His Majesty's Ship Aurora, River Tagus, Sept. 17, 1797.*

I HAVE to acquaint you that I captured, on my way to Lisbon, on the 15th instant, L'Espiegle, French privateer brig, mounting fourteen guns and sixty men, from Rochelle, commanded by Jean Henry Knell; had taken in the morning a Portuguese brig, from Lisbon, bound to Oporto, which she had sent to St. Lucar.

I am, &c.

H. DIGBY.

Copy of a Letter from Admiral the Earl St. Vincent, K. B. to Evan Nepean, Esq. dated Ville de Paris, off Cadiz, October 5.

YOU will receive herewith a letter from Lord Henry Paulet, captain of his Majesty's ship Thalia, acquainting me with his having, on the 10th ult. captured L'Espoir French corvette, of sixteen guns.

I am, &c.

ST. VINCENT.

Sir,

Thalia, at Sea, September 11.

YESTERDAY evening, being in latitude 34 deg. 27 min. N. and longitude 29 deg. 40 min. W. I captured the French national corvette L'Espoir, mounting sixteen six-pounders, and having ninety-six men; she comes from Cayenne, and was cruising with another corvette, which was taken the 20th ult. by an English frigate.

Earl St. Vincent, Commander in Chief, &c.

H. PAULET.

Admiralty Office, November 11.

Copy of a Letter from Captain Gore, Commander of his Majesty's Ship the Triton, to Admiral Lord Bridport, dated at Sea, October 23.

My Lord,

I HAVE the honour to inform your Lordship, that I this day chased and captured, close in with Alverak, the Furet, French schooner privateer, mounting four guns, four-pounders, but pierced for fourteen, having fifty-three men on board; twenty-three days out from Treguier, and had only taken the Denton English brig, laden with coals, which was retaken the next day by his Majesty's ship Jason.

I have the honour to be, &c.

JOHN GORE.

Admiralty Office, November 11.

Copy of a Letter from Captain Faulknor, Commander of his Majesty's Ship Diana, to Evan Nepean, Esq. dated Cork Harbour, November 2.

Sir,

PLEASE to inform my Lords Commissioners of the Admiralty, that a fine coppered ship privateer of sixteen guns and one hundred and eighty men, out of Bourdeaux, is just brought in here, captured by his Majesty's ships Dryad and Doris; she is called La Brune, and held our ships a chase of forty leagues; she had, on the 17th of September, taken the Industry brig, from Newfoundland, bound to Lisbon, and on the 9th of October the Commerce brig, from Greenock, bound to Oporto, in ballast.

I am, &c.

J. FAULK NOR.

From the LONDON GAZETTE, November 25, 1797.

Admiralty Office, Nov. 25.

Extract of a Letter from Vice-admiral Sir Hyde Parker, Knt. Commander in Chief of his Majesty's Ships and Vessels at Jamaica, to Evan Nepean, Esq. dated Queen, Cape Nicola Mole, October 8, 1797.

HIS Majesty's sloop Albacore arrived here last night, with a privateer schooner of three guns, called the Nantaife, copper-bottomed. I have the honour to transmit herewith a return of the number of armed vessels taken and destroyed since my last.

One small barge of one gun, captured by his Majesty's ship Thames.

One schooner privateer of two guns, 14 muskets, and 30 men; three other small boats sent in, and 10 destroyed by the Drake.

One schooner privateer of one gun and 20 men, captured and brought in by the Aquilon.

Two armed brigs, captured and brought in by the Rattler.

1 a Trompeuse French schooner privateer, of 12 guns and 78 men, sunk by his Majesty's brig Pelican.

A Spanish packet of six guns, with troops on board, captured by the Diligence, in company with the Renommée and Hermione.

A copper-bottomed schooner privateer, of three guns and 56 men, captured and brought in by the Albacore.

One row-boat privateer, armed with swivels and muskets, captured by the Albacore.

Admiralty Office, November 25.

Extract of another Letter from Vice-admiral Sir Hyde Parker, Knt. to Evan Nepean, Esq. dated the 6th of October 1797.

I BEG you will be pleased to inform their Lordships, that Captain Gascoyne being ill of a fever, I put Lieutenant White of the Queen into his Majesty's brig Pelican, to command her during the Captain's illness.

On the 17th of last month, Lieutenant White had the good fortune to fall in with the Trompeuse French privateer brig. His spirited conduct and officer-like management, I am sure, will be as strongly impressed on their Lordships' minds, by his account of the action, herewith enclosed, as it was on mine, in giving him great credit for both.

Sir,

Sir,

Pelican, at Sea, September 17.

I HAVE the honour to inform you, that at thirty minutes past seven A. M. we discovered a brig bearing N. N. W. (Cape Nicholas S. by W. half W.) standing towards us, with the larboard tacks on board. As she appeared to be a vessel of force, I immediately made all sail towards her, the wind being east. At forty-five minutes past eight, she having shown French colours, we opened our fire on her in crossing, then wore round her stern, and kept up a continued and well-directed fire until twenty minutes after nine, when she made all sail from us with the larboard tacks. Unfortunately we could not immediately make all sail after her, as our running rigging was much cut; but as soon as it was repaired, every exertion was made to get alongside of her a second time, which was effected at forty-five minutes after twelve, when we opened our fire on her, which was so well directed, that at ten minutes past one she blew up abaft, and struck her colour. At fifteen minutes after one she went down by the head, and was totally lost. Upon which we immediately hoisted out our boats, and fortunately saved the lives of sixty of her crew, by whom we learn she was the *Trompeuse* French privateer brig, mounting 12 six-pounders and 78 men on board; she had been out eleven days, but had only taken one prize.

I feel myself greatly indebted to Captain Perkins, of the *Drake*, whom I discovered in shore of us, for using every exertion to work to windward, and cut her off from *Jean Rebel*, as soon as I made the private signal to him, and that of the chase being an enemy.

Permit me to observe, that great praise is due to Lieutenants Ward and Usher, and Mr. McCleverty the Master, for their zeal, conduct, and bravery, as also to the inferior officers and ship's company, for their steadiness, obedience, and courage.

Enclosed I have the honour to send you a list of the killed and wounded.

I have the honour to be, &c.

THOMAS WHITE.

Sir Hyde Parker, Knt. &c.

A List of killed and wounded on board his Majesty's Sloop Pelican, the 17th Day of September 1797.

Killed—John Cooke, marine.

Wounded—Thomas Stockdale, ordinary seaman, compound fracture. Etean Beckwell, able seaman, wounded in the jaw. Robert Hughes, ordinary seaman, wounded in the head. Daniel Lucas, able seaman, wounded slightly. John Reed, cockswain, contusion in the thigh.

(Signed)

THOMAS WHITE.

From the LONDON GAZETTE, Nov. 28, 1797.

Admiralty Office, Nov. 28.

Copy of a Letter from Admiral Lord Duncan, Commander in Chief of his Majesty's Ships and Vessels in the North Sea, to Evan Nepean, Esq. dated the 25th instant.

Sir,

I HEREWITH enclose, for the information of the Lords Commissioners of the Admiralty, a list of the killed and wounded on the 11th of October

October last, on board such of his Majesty's ships under my command, whose situations after the action prevented their returns being made in time to be included in the one before transmitted.

I am, &c.

DUNCAN.

A List of the killed and wounded on board such of his Majesty's Ships under my Command, who were in the Action of the 11th of October last, and from whom no Return was made before.

Montagu.—3 seamen killed ; 2 officers, 2 seamen, 1 marine, wounded.

Director.—6 seamen, 1 marine, wounded.

Monmouth.—1 officer, 1 seaman, 2 marines, 1 boy, killed ; 16 seamen, 2 marines, 4 boys, wounded.

Veteran.—1 officer, 3 seamen, killed ; 21 seamen wounded.

Russell.—6 officers, 14 seamen, 1 serjeant of marines, 3 private ditto, wounded.

Adamant.—None killed or wounded.

Names of Officers killed and wounded.

Veteran.—Lieutenant Francis Ferrett, killed.

Montagu.—Lieutenant Ralph Sneyd and Mr. James Forbistly, midshipmen, wounded.

Russell.—Lieutenant David Johnson ; Mr. Thomas Troughton, master ; Mr. George Taylor, master's mate ; Mr. John Brooks, boatswain ; Mr. Thomas Abbott, pilot ; Mr. Thomas Sherrard, pilot ; John Howard, serjeant of marines ; wounded.

Lost in the Dutch Prize-ship Delft.

Monmouth.—2 marines drowned.

Veteran.—2 seamen drowned.

Russell.—1 seaman drowned.

(Signed) DUNCAN.

From the LONDON GAZETTE, Dec. 2, 1797.

Copy of a Letter from Captain John Drew, Commander of his Majesty's Ship Cerberus, to Evan Nepean, Esq. dated at Cork, the 20th ultimo.

Sir,

FOR the information of my Lords Commissioners of the Admiralty, I have to acquaint you, on the 12th instant, in the lat. 49 deg. 48 min. N. long. 22 deg. 18 min. W. I captured the French private ship of war L'Epervier, carrying 16 four-pounders, pierced for 20, and her complement 145 men. On the 13th recaptured the Adelphi, from Quebec, bound to London, taken by the above ship. On the 14th captured Le Renard, carrying 18 six-pounders, pierced for 20, her complement 189 men ; both privateers are copper-bottomed, sail very fast, and are quite new. We likewise chased the Buonaparte, carrying 32 guns and 250 men, but carrying away all our steering-sails and main top-gallant mast, it enabled her to get off, after doing her considerable damage with the bow-chase guns, and I have every reason to believe she is returned to France, from her having thrown every thing overboard.

J. DREW.
From

From the LONDON GAZETTE, Dec. 5, 1797:

Admiralty Office, Dec. 5.

My Lord,

Aurora, Nov. 1797.

I HAVE the honour to acquaint you, that I captured on the 28th of October, a French ship named L'Aimable Sophie, in ballast, and sent her to Lisbon. On the 29th I took, off Cape Ortegal, three Spanish coasters, which, from their condition, I did not think proper to risk my people on board; I therefore sunk one, made a cartel of another, and sent the third conditionally to Corunna.

On the 16th I captured two Spanish brigs, loaded with hemp, arms, and iron, names unknown; their crews had left them before my boats had got on board. On the 18th one of them was so unfit to equal the weather, that I took my people out and sunk her; at this time lost sight of the other, which I had ordered to make for Lisbon in case of separation.

After a chase of nine hours, I captured yesterday, about six leagues from Cape Roxent, L'Aventure French privateer schooner, nineteen days from Rochelle, mounting eight four-pounders and 43 men, commanded by Augustin Vildieu.

I have the honour to be, &c.

Earl St. Vincent, &c.

H. DIGBY.

From the LONDON GAZETTE, Dec. 9, 1797.

Admiralty Office, Dec. 9.

Copy of a Letter from the Earl of St. Vincent, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Portugal, to Evan Nepean, Esq. dated on board the Ville de Paris, in the Tagus, Nov. 12.

Sir,

I ENCLOSE a list of the captures made by Captain Retalick, in his Majesty's sloop La Bonne Citoyenne, during her cruise in the Mediterranean the last summer.

I am, &c.

ST. VINCENT.

Le Pleuvier French privateer, of nine guns and 43 men, eight days from Carthagen, having taken nothing; sent to Algiers: captured between Carthagen and Oran. Le Canarde French privateer, of 10 guns and 64 men, from Marseilles, out three months; captured one Prussian, one Russian, and one vessel under Turkish colours: sent to Malta. Two Spanish brigs in ballast, from Catalonia to Trieste, with 8,900 dollars. Jengin del Rosario, Spanish tartan, from Barcelona to Minorca, with 20 recruits; the wind being to the southward, and scarce of water, sent all the prisoners on board of her. With eight other Spanish merchantmen of small value.

Copy of a Letter from Captain Stirling, Commander of his Majesty's Ship Jason, to Evan Nepean, Esq. dated Falmouth, Dec. 5.

Sir,

ON the 21st ult. off Belleisle, his Majesty's ship under my command took La Marie, a French privateer brig, carrying 14 guns and 60 men.

I have, &c.

CHA. STIRLING.

Copy

Copy of a Letter from the Right Hon. Lord Bridport, K. B. to Evan Nepean, Esq. dated the 5th of Dec.

Sir,

YOU will herewith receive a copy of a letter from Captain White, of his Majesty's brig Sylph, which I transmit for their Lordships' information. I have, &c.

BRIDPORT.

My Lord,

Sylph, Cowfand Bay, Dec. 2.

I BEG leave to acquaint your Lordship, that we failed from this anchorage on the 19th ult. in order to rejoin the Squadron under Captain Keats, but owing to thick and blowing weather, I was not able to fall in with him before he quitted the rendezvous. I have further to acquaint your Lordship, that since the above period we have made the following recaptures (between Belleisle and Rochfort), and with the last of them we arrived here this morning.

On the 21st of Nov. Active schooner, from Newfoundland bound to Teignmouth, laden with fish and oil; she was captured on the 14th of Nov. by La Constance brig privateer of Nantes. On the 22d of Nov. a Prussian galliot, from Amsterdam to Lisbon, laden with wheat, captured by Le Bonaparte ship privateer of Bourdeaux, on suspicion of the cargo being Portuguese property; this vessel being very leaky, and her cargo much damaged, I suffered her to proceed (after taking out the Frenchmen) to her original destination. On the 23d of Nov. the brig Diana, from New Providence bound to London, laden with cotton, sugar, and coffee, captured on the 12th of Nov. by the Felix cutter privateer of 14 guns, belonging to Nantes; besides the Diana, she had taken three English vessels from Newfoundland, and two Americans outward bound. On the 30th of Nov. the ship Henniker, from London bound to Martinique, laden with provisions on account of Government, was under convoy of the Trent and Amphitrite, and captured in lat. 42 deg. 27 min. north, and long. 21 deg. 50 min. west, by Le François ship privateer of Nantes, on the 23d of November.

The prisoners taken in the Diana inform me, that the Le Felix (the privateer to which they belonged) was upset on the night of the 16th of November, in a sudden and violent gulf of wind, and though not a quarter of a mile from her prize, not one of her crew was saved, which consisted of 115 men, exclusive of whom, I am sorry to add, perished 22 British and American seamen, belonging to the vessels this privateer had captured.

I am, my Lord, &c.

J. WHITE.

Copy of a Letter from Admiral the Earl of St. Vincent, K. B. Commander in Chief of his Majesty's Ships and Vessels in the River Tagus, to Evan Nepean, Esq. dated the 28th of Nov.

I ENCLOSE, for the information of the Lords Commissioners of the Admiralty, a letter from Captain Westcott, commander of his Majesty's ship Majestic, acquainting Rear-admiral Sir John Orde with his having, on the 14th inst. captured the Spanish corvette Bolador, of 16 guns and 74 men.

Also a letter from Captain Hotham, of his Majesty's ship Blanche, to Captain Tyler, commander of L'Aigle, giving an account of his taking
Le

Le Coureur French privateer of 14 guns and 90 men, the 20th of this month.

Sir, *Majestic, off Cape St. Vincent, Nov. 15.*

I HAVE the honour to inform you, that chasing from the Squadron under your command, yesterday, I captured the Bolador, a Spanish corvette of 16 guns and 74 men, schooner rigged, commanded by Don Antonio Rodriguez. He had been seventy-four days on his passage from the Caraccos, and charged with dispatches, which he had thrown over-board during the chase.

I have, &c.

J. B. WESTCOTT.

Sir, *Blanche at Sea, Nov. 21.*

THE officer who will have the honour of delivering this, is sent in with Le Coureur French privateer brig, of 14 guns and 90 men, taken by his Majesty's ship under my command, in the night of the 20th inst. after a chase of three hours.

I have, &c.

H. HOTHAM.

From the LONDON GAZETTE, Dec. 16, 1797.

Admiralty Office, Dec. 16.

Copy of a Letter from Rear-admiral Harvey, Commander in Chief of his Majesty's Ships and Vessels at the Leeward Islands, to Evan Nepean, Esq. dated on board the Prince of Wales in Fort Royal Bay, Martinique, the 5th of October.

Sir,

BE pleased to acquaint their Lordships, that his Majesty's sloop Bittern, commanded by Lieutenant Edward Kittoe, fell in with, the 13th ult. off Tortola, and captured the French ship privateer L'Agréable, of 18 guns, nine and six pounders, and 115 men, which had left Guadaloupe two days before, and taken nothing; had been just fitted out, is a fast sailer, and coppered.

The capture of this vessel, under her first equipment, is of much consequence; and the very spirited manner in which she was attacked and captured in the night (although without resistance) does great credit to the conduct of Lieutenant Kittoe.

I have the honour to be, &c. &c.

HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq. dated the 5th of October.

Sir,

I AM to acquaint you for the information of their Lordships, that his Majesty's ship Lapwing, on the 1st of August, being to the northward of Tortola, in lat. 22 deg. 20 min. captured the Le Regulus French privateer sloop, belonging to Porto Rico, of four guns and 26 men, which Captain Barton sent to St. Christopher; she had been out fifteen days, and had captured an American brig.

I have, &c.

HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq. dated the 5th of October.

Sir,

BE pleased to acquaint their Lordships, that his Majesty's ship Scourge captured, the 28th ult. off Mariagalante, La Sarazine French schooner privateer, belonging to Guadaloupe, of six guns and 58 men, which Captain Warren sent to this island. She had been out ten days, but had taken nothing.

I have, &c. &c.

HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq. dated the 5th of October.

Sir,

BE pleased to acquaint their Lordships, that his Majesty's ship Tamer (Captain Martin) has captured and sent to Barbadoes three French privateers belonging to Guadaloupe, the force of which, with their names, and the dates of their capture, are as follow:—4th Aug. 1797, Le Pont d'Arcole, cutter, four guns and 48 men, off Marlagalante. 8th ditto, Le Renard, cutter, 10 guns and 71 men, off Martinique. 10th ditto, L'Utile, ship, of 14 guns and 135 men, off Barbadoes.

They had been out a very short time, and the two former had not taken any thing; but the latter had captured one English and two American vessels.

I have the honour, &c.

HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq. dated the 5th of October.

Sir,

ENCLOSED is an account of captures and recaptures made by the ships of his Majesty's squadron under my command, as against their respective names expressed, between the 25th July 1797, and the date hereof; also an account of vessels detained under neutral colours, and libelled in the court of admiralty for the causes stated in the said account during that period.

I have the honour to be, &c.

HENRY HARVEY.

An Account of Merchant Ships and Vessels captured and recaptured; likewise such as have been detained under neutral Colours by his Majesty's Ships, and Vessels (respectively expressed against their Names) under the Command of Honr. Harvey, Esq. Rear-admiral of the Red, and Commander in Chief, &c. &c. at the Leeward Islands, between the 25th July and the 5th October 1797.

Brig Decision, of 255 tons and eight men, from Cape François to Porto Rico, in ballast, belonging to Cape François: recaptured by the Babet.

Brig Schyllkill, of 100 tons and eight men, from New York to Porto Rico, laden with flour, belonging to Philadelphia: taken by the Babet; detained: supposed to be Spanish property.

Barque Aolus, of 180 tons and 10 men, from Marseilles to St. Thomas, laden with wines, belonging to Copenhagen: taken by the Babet; detained, cargo French property.

Brig Experiment, of 400 tons and 12 men, from Guadaloupe to St. Thomas,

Thomas, laden with staves and ballast, belonging to Guadaloupe: detained, cargo being French property.

Brig Mary, of 158 tons and 10 men, from Wilmington to Martinique, laden with lumber, belonging to Philadelphia: recaptured by the Invincible.

Sloop Telegraph, from Bermuda to Martinique, laden with pitch, tar, &c. belonging to Bermudas: recaptured by the Bittern.

Ship Lyon, of 188 tons and 11 men, from Bourdeaux to St. Thomas, laden with plantation stores, belonging to Boston: taken by the Bittern; detained, irregular papers and contraband goods.

Sloop Mary, of 104 tons and 10 men, from St. Thomas to Surinam, laden with cash and dry goods, belonging to St. Thomas: taken by the Matilda; detained, false invoice, crew consisting of enemy.

Ship Rose, of 350 tons, from St. Vincent to St. Pierre, laden with wine and dry goods, belonging to London: recaptured by the Vengeance.

Schooner Blazing Star, of 90 tons and six men, from Curaçoa to St. Thomas, laden with indigo, coffee, &c. belonging to New York: taken by the L'Aimable; detained, supposed enemy's property.

Ship Mary, 220 tons, 10 guns and 17 men, from Demarara to Liverpool, laden with coffee, sugar, &c. belonging to Liverpool: recaptured by L'Aimable.

Brig Abbey, of 230 tons, 10 guns and 13 men, from Demarara to Liverpool, laden with coffee, sugar, &c. belonging to Liverpool: recaptured by the L'Aimable.

Ketch John, of 258 tons and 16 men, from the Isle of France to Salem, laden with indigo, coffee, sugar, &c. belonging to Salem: recaptured by the L'Aimable.

(Signed) HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq., dated the 5th of October.

Sir,

THE Alexandrine schooner, of six guns and 40 men, tender to his Majesty's ship Prince of Wales, having sailed from hence, under the command of Lieutenant William Wood Senhouse, in quest of some privateers that were said to be off this island, fell in with, the 15th of August last, La Cocq French privateer, of six guns and 34 men. After an action of three quarters of an hour she struck, having two men killed and five wounded. The same evening the Alexandrine attacked another schooner of greater force, which, after a running action of some time, escaped by the darkness of the night. The conduct of Lieutenant Senhouse, the officers and men of the Alexandrine, on this occasion, was highly spirited and meritorious.

I have the honour, &c. &c.

HENRY HARVEY.

Copy of another Letter from Rear-admiral Harvey to Evan Nepean, Esq., dated the 22d of October.

Sir,

I ENCLOSE you for the information of their Lordships, copy of a letter I have received from Lieutenant William Wood Senhouse, of his Majesty's ship Prince of Wales, commanding the Alexandrine armed tender.

The very gallant and spirited conduct of Mr. Senhouse, by the capture of a privateer so superior in force, together with his former services on a similar occasion, will, I am persuaded, recommend him to their Lordships' particular favour.

The Alexandrine's force was six guns and 38 men, that of the French privateer eight guns and 74 men.

I have, &c.

HENRY HARVEY.

Sir,

Alexandrine, Fort Royal, Martinique, Oct. 8.

I HAVE the honour to acquaint you, that after delivering your dispatches to the governor of Demarary, and Captain Manwaring of the Babet, on the first instant, we immediately, in pursuance of your orders, made sail for Barbadoes, and at daylight on the 4th, that island then bearing west five or six leagues, we observed a schooner on our quarter, making sail after an American brig to leeward; we continued our course, but she discovering us to be an armed vessel, hauled her wind to the northward, as we did in chase of her; and at nine A. M. brought her to a close action of fifty minutes, when she struck, proving to be L'Erpicharis French privateer, mounting eight carriage guns, and having on board 74 men, belonging to Guadaloupe.

It is with regret I add, that this was not accomplished without the loss of an excellent seaman, and four others wounded, one I fear mortally. The loss of the enemy I have reason to think was great, as on our taking possession of her four men were found lying dead on her deck, and twelve severely wounded.

The muster-roll of the privateer being lost, and the Captain's account not agreeing with the number found, I have mentioned 74, as the number actually counted by us when she struck.

I have, &c.

W. W. SENHOUSE.

Rear-admiral Harvey, &c. Leeward Islands.

From the LONDON GAZETTE, Dec. 19, 1797.

Admiralty Office, Dec. 19.

Copy of a Letter from Vice-admiral Kingsmill, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Ireland, to Evan Nepean, Esq. dated on board the Penguin, at Cork, the 11th of December.

Sir,

I HAVE the satisfaction to enclose, for the information of my Lords Commissioners of the Admiralty, a letter to me from Captain Faulknor, of his Majesty's ship Diana, giving an account of his having captured a fast-sailing French corvette, La Mouche, of 18 guns and 122 men, fitted out from La Rochelle as a privateer, with which the Diana arrived here yesterday.

I have the honour to be, &c.

R. KINGSMILL.

Sir,

Diana, at Sea, Dec. 8.

I HAVE the pleasure of acquainting you, that on the 5th instant, being in lat. 50 deg. 17 min. long. 21 deg. I fell in with, and captured, after a chase of four hours, La Mouche, a national corvette, fitted in every respect for a six weeks cruise by the merchants at Rochelle; had been

been from that place fifteen days, without making any English captures; she sent in, five days prior to my falling in with her, an American, from the Isle of France bound to Bourdeaux, which she detained on suspicion, having no French pass on board.

La Mouche is a ship of considerable force, having eleven ports of a side, but only 16 twelve-pounders on board when I fell in with her; six of which were thrown overboard during the chase. The Captain of her informs me she had a thorough repair and was new coppered in September last.

That she sails remarkably fast there is no doubt of, as, had it not been for her carrying away her fore-topmast during the chase, the determined way in which she continued on after that, notwithstanding the Diana's shot going over her, gave me reason to fear, from the evening's coming on very thick and foggy, I might have lost her. She has run most of the war with great success in annoying our trade, which makes the capture of a ship of her description add considerably to the pleasure of,

Sir, your most obedient humble servant,

JONATHAN FAULKNER.

From the LONDON GAZETTE, Dec. 23, 1797.

Admiralty Office, Dec. 23.

Copy of a Letter from Captain Cunningham, Commander of his Majesty's Ship Clyde, to Evan Nepean, Esq. dated at Sea, Dec. 13.

Sir,

I BEG you will please to acquaint the Lords Commissioners of the Admiralty, that I this day captured the French privateer brig Success, from Bayonne, out fifteen days, having captured only one American vessel.

I have the honour to be, &c. &c.

CHARLES CUNNINGHAM.

From the LONDON GAZETTE, Dec. 26, 1797.

Admiralty Office, Dec. 23.

Copy of a Letter from Captain Cunningham, of his Majesty's Ship Clyde, to Evan Nepean, Esq. dated Cawsand Bay, the 21st of December.

Sir,

I BEG you will please to acquaint the Lords Commissioners of the Admiralty, that on the 15th instant, in lat. 44 deg. 40 min. long. 4 deg. I fell in with and captured La Dorade, a ship privateer from Bourdeaux, copper sheathed, pierced for 18 guns, having 12 guns and 93 men on board. She had been out fifty days, cruising off the Azores and Madeira, without having made any capture, and was returning to her port.

I have the honour to be, &c.

CHARLES CUNNINGHAM.

Copy

Copy of a Letter from Captain Cunningham, of his Majesty's Ship Clyde, to Evan Nepean, Esq. dated in Casajund Bay, the 21st instant.

Sir,

IT is with peculiar concern I relate the unhappy catastrophe of *La Dorade*, captured by his Majesty's ship under my command.

Having put her under the care of a young man, who had been master of the *Clyde* more than twelve months, and of whose abilities I felt myself confident, I cannot but regret that, probably from an emulation of exhibiting the capabilities of the prize, and his own conduct, in an advantageous point of view, he was induced to carry too great a press of sail upon her; the melancholy consequence of which was, that she upset, and himself, with a midshipman and seventeen seamen, were drowned.

I have the honour to be, &c.

CHARLES CUNNINGHAM.

From the LONDON GAZETTE, Dec. 30, 1797.

Admiralty Office, Dec. 30.

Copy of a Letter from Captain Robert Barlow, Commander of his Majesty's Ship Phoebe, to E. Nepean, Esq. dated in Casajund Bay, the 26th inst.

Sir,

BE pleased to inform their Lordships, that on the 21st instant, at ten A. M. being with his Majesty's ship under my command in lat. 48 deg. 30 min. north, long. 10 deg. west, we discovered one of the enemy's frigates, which about nine o'clock the same evening we had the good fortune to come up with and capture, after an action which lasted upwards of two hours.

To account to their Lordships for its continuing so long, it will be necessary to trouble them with some detail.

The difference in point of sailing between the two ships being very inconsiderable, she damaged our masts, sails, and rigging very much with her stern-chase guns, and at the moment when we were nearly in a situation to commence our attack, she put in stays, the *Phoebe* being at this time under a crowd of sail; and as, from the darkness of the night, the enemy's disposition for tacking could not be discovered, a few minutes necessarily elapsed before we could tack to follow her, after exchanging broadsides on passing. This manœuvre increased our distance, and subjected us a second time to the fire of her stern-chase, with which they were but too successful in cutting up our sails and rigging. At length, about ten o'clock, we got fairly alongside of her, when, after a handsome resistance of three quarters of an hour, she struck.

She proves to be *Le Nereide*, of 36 guns, viz. 26 twelve-pounders on her main deck, eight six-pounders and two thirty-two-pounder carronades on the quarter-deck, manned with 330 men, commanded by Captain Canon; sailed from Rochfort fifteen days before, and victualled for four months.

It is with the highest satisfaction I have to report the degree of ardour and zeal manifested by my officers and ship's company on this occasion, which, in my judgment, could not be exceeded.

From my first Lieutenant, Halliday, I experienced all the support which I with confidence expected from so gallant and skilful an officer, which,

which, amidst the difficulties to be contended with in a night action, was an incalculable advantage; and the Lieutenants Holland and Vaillant, Lieutenant Stewart of the marines, and Mr. Cole, the master, were no less active and distinguished at their several stations.

Our loss, in killed and wounded, is 1 seaman, 8 marines, killed; 5 seamen, 5 marines, wounded: that of the enemy amounts to 20 men killed and 55 men wounded.

I am, Sir, &c.

ROB. BARLOW.

Admiralty Office, Dec. 30.

Copy of a Letter from the Earl St. Vincent, K. B. Commander in Chief of his Majesty's Ships and Vessels on the Coast of Portugal, to Evan Nepean, Esq. dated on board the Ville de Paris, in the Tagus, the 5th of Dec.

Sir,

I ENCLOSE, for the information of the Lords Commissioners of the Admiralty, a letter from Captain Sotherop, of his Majesty's ship the Latona, giving an account of his having taken two French privateers, L'Aigle and L'Intrepide.

I am, &c. &c. &c.

ST. VINCENT.

My Lord,

Latona, in the Tagus, Dec. 7.

I HAVE the honour to inform your Lordship, that his Majesty's ship Latona, under my command, captured on the 29th ult. in lat. 39 deg. 24 min. N. long. 16 deg. W. Lisbon bearing E. by S. distant 107 leagues, L'Aigle, a French privateer schooner, belonging to Bourdeaux, pierced for 14, mounting 12 small carriage guns, with 62 men, commanded by Fran. Harimendy. She sailed from Le Passaye, near Bayonne, on the 6th of last month; had not taken any thing.

I have also the pleasure to inform your Lordship, the Latona captured on the 3d instant, in lat. 39 deg. 45 min. N. long. 11 deg. 33 min. W. Lisbon bearing E. S. E. distant 40 leagues, L'Intrepide, a French corvette brig, fitted out from Nantes as a privateer, pierced for 18 guns, carried 12 six-pounders, two eighteen-pound carronades, and one long brass twelve-pound gun. She threw all of them overboard during the chase, except the brass gun, and one six-pounder, which she kept as stern chasers, and fired without effect until we got nearly alongside of her. She had 83 men on board, was commanded by Mons. Jean Camdeau; and had taken only a galliot, a Bremener, from Faro, bound to Liverpool, laden with fruit.

I have the honour to be, my Lord, &c.

*The Earl of St. Vincent, Admiral
of the Blue, &c.*

F. SOTHERON.

From the LONDON GAZETTE, Jan. 2, 1798.

Parliament-street, Jan. 2.

A LETTER, of which the following is an extract, has been received from Peter Le Mesurier, Esq. Governor of the island of Alderney, by the Right Hon. Henry Dundas, one of his Majesty's principal Secretaries of State, dated Alderney, the 25th of Dec. 1797.

"I have the honour of informing you, that yesterday afternoon, at three o'clock, a French cutter privateer had the boldness to chase the Ann cutter

cutter of Hastings close under one of our batteries, which she was just on the point of boarding with her boat, when the battery opened, and obliged the French to sheer off.

"Having observed that the English vessel outfailed the enemy while there was a breeze, and that the privateer was not of great force, I judged it probable that she might be captured by the troops of the garrison, and therefore ordered a detachment, with an officer, to embark in the same vessel that had been chased, and in another that fortunately happened to be in the road, having previously offered some gratuity to the owners; and in a few hours I learned, with much satisfaction, that the privateer was brought into our harbour.

"She proves to be the Epervier, Captain Pierce, with 24 men, mounting three guns, two swivels, and small arms, belonging to Dunkirk, but fitted out from Cherburgh, on a fortnight's cruise from the 17th instant: had, on the 21st, taken the brig Ann, Le Hirrel, master, from Gaspé to Jersey, with fish; and yesterday morning a small vessel, bound from hence to England, both which captures had been noticed from this island.

"I cannot too much praise the readiness and alacrity shown by Major Gordon, the officers and soldiers of the garrison, in the execution of my orders on this occasion; for the day was so far spent, that one quarter of an hour's delay might have frustrated all our exertions; but I am in duty bound to testify my particular obligations to Town-major Haine'l, who solicited to be employed, and instantaneously embarking, effected the capture without any loss.

"I am further happy in reporting, that our battery was well served, as out of three shot fired within reach, one passed through the enemy's sails, and another killed a man on board."

Admiralty Office, Jan. 2.

Extract of a Letter from Captain Edward Griffith, Commander of his Majesty's Ship Niger, to Evan Nepean, Esq. dated at Spithead the 26th ultimo.

YESTERDAY, the Start Point bearing north about seven leagues, I captured, after a few hours chase, the Delphine, a French privateer cutter, pierced for 10 guns, four mounted, and 38 men on board. She sailed from St. Maloes six days ago, in company with a lugger; had captured the Active brigantine, of Jersey, and had been beat off the night before we fell in with her by an English letter of marque.

Copy of a Letter from Captain David Lloyd, Commander of his Majesty's Sloop Termagant, to Evan Nepean, Esq. dated at Hull, the 30th ult.

Sir,

YOU will be pleased to inform the Right Hon. the Lords Commissioners of the Admiralty, that on the 28th instant, the Spurn Point bearing W. N. W. distant four leagues, I captured, after a chase of four hours, the French privateer schooner Le Victoire, of 14 guns and 74 men. She had been out ten days, and captured two colliers, and was in pursuit of an English merchantman when I first discovered her.

I have the honour to be, &c. &c. &c.

DAVID LLOYD.

- From

From the LONDON GAZETTE, Jan. 9, 1798.

Admiralty Office, Jan. 9.

Copy of a Letter from the Right Hon. Lord Bridport, K. B. Admiral of the White, &c. to Evan Nepean, Esq. dated the 7th instant.

Sir,

HEREWITH you will receive a copy of a letter from Captain Newman, of his Majesty's ship Mermaid, which I transmit for their Lordships' information.

I am, &c.

BRIDPORT.

My Lord,

Mermaid, at Sea, Jan. 1.

I HAVE the honour to acquaint your Lordship, that yesterday (Belleisle bearing E. N. E. 30 leagues) I fell in with and captured L'Adventure letter of marque, formerly the Onslow Guineaman of Liverpool, mounting 10 four and two eight pounders, and had on board, when captured, 190 men. She sailed from L'Orient on Thursday last, in company with two other privateers, one of 30 and the other of 24 guns, and had not captured any thing.

I have the honour to be, &c.

JAMES NEWMAN.

Right Hon. Lord Bridport, K. B.

From the LONDON GAZETTE, Jan. 13, 1798.

Admiralty Office, Jan. 13.

Copy of a Letter from Sir Richard King, Bart. Commander in Chief of his Majesty's Ships and Vessels at Plymouth, to Evan Nepean, Esq. dated Cambridge, in Hamoaze, the 7th of January.

Sir,

YOU will be pleased to acquaint their Lordships, that his Majesty's hired cutter Stag arrived this day with La Zelic, French lugger privateer, carrying four guns and 47 men, which she captured the 5th instant off the Start.

R. KING.

Admiralty Office, Jan. 13.

Copy of a Letter from Admiral Peyton, Commander in Chief of his Majesty's Ships and Vessels in the Downs, to Evan Nepean, Esq. dated on board the Overijssel, the 12th of January.

Sir,

I HEREWITH send you enclosed a letter I have this day received from Captain Lloyd of his Majesty's sloop Racoon, of this date, stating his having captured Le Policrate French privateer cutter, carrying 16 guns and 72 men, yesterday morning off Beachy Head, which letter you will be pleased to lay before their Lordships.

J. PEYTON.

Sir,

Racoon, in the Downs, Jan. 12.

I BEG leave to acquaint you, that yesterday morning at seven A. M. Beachy Head bearing north-east, distant about seven leagues, I discovered

vered a cutter in the south-east. I immediately made all sail in chase, and after a running fire of two hours, within musket-shot, came up with and captured *Le Policrate* French privateer, carrying 72 men, and mounting 16 guns, five of which were thrown overboard during the chase. She is an entire new vessel, copper-bottomed, completely fitted for three months, and bound to the West Indies: sailed from Dunkirk on Tuesday last, and had not taken any thing. It is a matter of much concern for me to add, that in consequence of my being under the necessity of carrying a very heavy press of sail, my deck (the chase being on the lee bow) was exposed to a very heavy fire of musketry and grape-shot from his stern chase guns, by which Mr. George Kennedy, the master, was killed, in whom the service has lost a most experienced seaman and a gallant officer: four seamen were wounded; two severely.

ROB. LLOYD.

Admiral Peyton, &c. &c. Downs.

From the LONDON GAZETTE, Jan. 16, 1798.

Admiralty Office, Jan. 16.

Copy of a Letter from Captain Reynolds, Commander of his Majesty's Ship La Pomone, to Evan Nepean, Esq. dated Plymouth Sound, the 14th of January.

I BEG to acquaint you, for the information of my Lords Commissioners of the Admiralty, that in the night of the 26th ult. I lost company with the *Phœbe*, in a very heavy gale of wind at W. S. W. which came on the 8th, and continued blowing strong, without intermission, until the 24th; and though the violence of the gale then abated, still it blew from the west; that with every possible exertion we were unable to get farther to the westward than 29 degrees of longitude before the 31st ult. the day on which my limited time for cruising on the ground prescribed by their Lordships expired.

On the first instant I edged away to the eastward, and on the 5th, at eleven o'clock in the night, Ushant bearing N. 65 deg. E. 94 leagues, crossed a large ship, standing under easy sail to the N. W. I instantly gave chase, and soon got close alongside of her; for it being thick hazy weather, she was deceived in our strength, and shrunk not from the action, but had the temerity to exchange several broadsides with us before she called out for quarter; in which we had one man killed and four wounded, and our masts and rigging considerably damaged. Having shifted the prisoners, and our carpenter plugged up eight shot-holes she had received between wind and water, we were about to take her in tow (for her mizen-mast was shot away, and she was utterly disabled to carry any sail), when the officer on board hailed us, and said she was sinking. I sent all our boats to her assistance immediately, and finding no efforts could save her, had but just time to draw our men and their wounded from her, when she sunk alongside of us. She proved to be the *Cheri*, from Nantz, carrying twenty-six long twelves, eighteen and twenty four pounders (mixed) upon her main deck, and 230 men, commanded by Mons. Chaffin; had been out fourteen days, and taken nothing: she had 12 men killed, and 22 wounded; among the latter was the gallant Captain, who, with two others, died of their wounds the next day.

On Thursday evening the Eddystone bearing N. E. twelve leagues, I captured a little privateer, from Rysco, called the Emprunt Fosse; had only two small carriage-guns, six swivels, and 25 men on board; she had been out but one day, and had taken nothing.

Our main-mast and fore-mast being wounded, and both of them fished, and much of the standing rigging so injured that it is necessary to replace it, I thought it would be expediting the service to steer directly for this port, instead of Falmouth; and I hope my having done so will meet their Lordships' approbation.

Admiralty Office, Jan. 16.

Copy of a Letter from the Honourable Captain Stopford, of his Majesty's Ship Phaeton, to the Right Honourable Admiral Lord Bridport, dated at Sea, the 31st of December 1797.

My Lord,

I HAVE the honour to inform your Lordship, that on the 29th instant his Majesty's ship under my command captured a French brig privateer of 14 six-pounders, called L'Hazard, and also a Spanish merchant-vessel from Nantes bound to St. Sebastian, laden with sundry articles of merchandise.

The former (by whom I send this letter) sailed from La Rochelle twenty-four hours before her capture, and was proceeding on a cruise to the southward; the latter being small, and of little value, I destroyed.

The Anson parted company the same night, in chase of a ship that had the appearance of a corvette, and I have not seen her since.

I have the honour to be, &c.

ROB. STOPFORD.

Admiralty Office, Jan. 16.

Extract of another Letter from the Hon. Captain Stopford, of his Majesty's Ship Phaeton, to the Right Honourable Admiral Lord Bridport, dated at Sea, the 3d of January.

I HAVE the honour to inform your Lordship, that his Majesty's ship under my command this day recaptured an English merchant-ship, called the Arthur Howe, belonging to Dartmouth. She was on her passage from St. Ube's, bound to Waterford, and was captured on the 31st ult. by two French privateers.

From the LONDON GAZETTE, Jan. 20, 1798.

Admiralty Office, Jan. 20.

Copy of a Letter from Captain Sir E. Pellew, Commander of his Majesty's Ship Indefatigable, to Evan Nepean, Esq. dated at Sea, 11th of Jan.

Sir,

I HAVE the pleasure to inform you, that I have captured this day, in company with the Cambrian and Childers, a French schooner privateer, La Vengeur, of 12 guns and 72 men, quite new, eight days from Ostend, without having made any prizes, and have sent her to Falmouth.

I have the honour to be, &c.

E. PELLEW.

D 2

Admiralty

Admiralty Office, Jan. 20.

Copy of a Letter from Sir E. Pellew, Commander of his Majesty's Ship Indefatigable, to Evan Nepean, Esq. dated at Sea, the 16th instant.

Sir,

I HAVE the honour to inform you, that this evening, after a chase of four hours, the Squadron in company, I had the pleasure to capture L'Inconceivable privateer from Dunkirk, out ten days, taken nothing, armed with eight guns, and manned with 55 men.

I have the honour to be, &c.

E. PELLEW.

From the LONDON GAZETTE, Jan. 23, 1798.

Copy of a Letter from the Right Hon. Lord Bridport, K. B. to Evan Nepean, Esq. dated the 20th instant.

Sir,

YOU will herewith receive copies of two letters from Capt. Durham, of his Majesty's ship Anson, and a copy of one from the Hon. Capt. Stopford, of his Majesty's ship Phaeton, which I transmit for their Lordships' information.

I am, Sir, &c. &c. &c.

BRIDPORT.

My Lord,

Anson, Cawsand Bay, Jan. 17.

I BEG leave to acquaint your Lordship, that in the passage to England I have retaken the Harmony galliot from St. Ube's bound to London; also the Active of Baltimore, American ship, with a valuable cargo; and the George Randolph, under Danish colours: the latter being a neutral vessel, and not suspicious, after taking out the prisoners, I permitted the master to proceed on his voyage.

I have the honour to be, &c.

The Rt. Hon. Adm. Lord Bridport,

&c. &c. &c.

P. C. DURHAM.

My Lord,

Phaeton, at Sea, Jan. 11.

I HAVE the honour to inform your Lordship, that his Majesty's ships Anson and Mermaid joined me on the night of the 5th instant, the former having captured the French frigate the Daphne, on the night of the 29th of December; for the particulars of which I refer your Lordship to Captain Durham's letter, herewith enclosed.

This capture gives me much satisfaction, as the Daphne was the only British frigate in the possession of the enemy.

The alacrity with which she was discovered, chased and taken possession of, upon a lee shore, on the coast of Arcasson, reflects (in my opinion) much credit upon Captain Durham.

I have the honour to be, &c. &c. &c.

The Right Hon. Lord Bridport, K. B.

&c. &c. &c.

ROB. STOPFORD.

Sir,

Anson, at Sea, Jan. 4.

IN consequence of your signal on the evening of the 29th of December, for having discovered an enemy on the S. W. steering to the
E. S. E.

E. S. E. with the Anson's signal to keep a look-out during the night; the moment it was dark I bore up, and steered the course I thought most advisable to cut off the enemy, and have much pleasure in informing you that I had the good fortune to cross upon her during the night; having exchanged a few shot, she struck, and proved to be the republican ship of war *La Daphne* (late his Majesty's frigate *Daphne*), mounting 30 guns, and having on board 276 men, among whom are 90 passengers of various descriptions, two civil commissioners (*Jaiquesin* and *La Carze*) charged with dispatches for Guadaloupe, which were thrown overboard. The *Daphne* had five men killed and several wounded. I feel much indebted to the exertions of my officers and ship's company.

I am, &c.

C. P. DURHAM.

*Hon. Rob. Stopford, Captain of his
Majesty's Ship Phaeton.*

From the LONDON GAZETTE, Jan. 27, 1798.

Admiralty Office, January 27.

Copy of a Letter from Captain Graham Moore, Commander of his Majesty's Ship Melampus, to Evan Nepean, Esq. dated at Sea, the 16th inst.

Sir,

I HAVE to acquaint you for the information of their Lordships, that this day at noon his Majesty's ships *Melampus* and *Seahorse* captured *La Belliqueux*, a French corvette, now fitted as a privateer, nine days from St. Maloes, pierced for 30 guns, mounting 14 eight-pounders and four carronades, and 120 men. On the 11th instant she captured his Majesty's packet *Prince Ernest*, from Tortola; but I am happy to add that the Captain and all but four of the packet's crew were retaken in *La Belliqueux*.

I am, &c.

GRAHAM MOORE.

Copy of a Letter from Admiral Peyton, Commander in Chief of his Majesty's Ships and Vessels in the Downs, to Evan Nepean, Esq. dated on board the Overijssel, the 23d instant.

Sir,

I HEREWITH enclose, for their Lordships' information, a letter which I have just received from Captain Lloyd, of his Majesty's Schooner *Raccoon*, giving an account of his having captured *La Pensée* French Ychooner privateer, that left Dieppe on Sunday last, but had not taken any thing.

I am, &c.

JOSEPH PEYTON.

Sir,

Raccoon, Dover Road, Jan. 27.

I BEG leave to acquaint you, that yesterday at eight A. M. Beachy Head bearing N. E. by E. distant about three or four leagues, I fell in with and captured *La Pensée* French schooner privateer, mounting two four-pounders and nine swivels, and carrying 32 men; sailed on Sunday last from Dieppe, and had not taken any thing.

I have, &c.

ROB. LLOYD.

*Joseph Peyton, Esq. Admiral of the Blue,
&c. &c. &c.*

From

From the LONDON GAZETTE, Jan. 30, 1798.

Admiralty Office, Jan. 30.

Copy of a Letter from Rear-admiral Harvey, Commander in Chief of his Majesty's Ships and Vessels at the Leeward Islands, to Evan Nepean, Esq. dated Prince of Wales, Carlisle Bay, Barbadoes, the 15th of December 1797.

Sir,

I HAVE to acquaint you, for the information of their Lordships, that Captain Western, in his Majesty's ship *Tamer*, has captured the under-mentioned French privateers belonging to Guadaloupe, and sent them into this bay. The first was taken on the 4th instant, the latter the 7th, a few leagues to the windward of Barbadoes.

Le Dragon schooner, of 12 guns and 80 men.

Le Dix-huit de Fructidor sloop, of 10 guns and 75 men.

These vessels are very fast sailers, and were well equipped. The former had taken an American brig, which was recaptured by the *Tamer*: the latter had been out five days, and taken nothing.

I have the honour to be, &c.

HEN. HARVEY.

Copy of a Letter from Admiral Sir Richard King, Bart. Commander in Chief of his Majesty's Ships and Vessels at Plymouth, to Evan Nepean, Esq. dated on board the Cambridge, in Hamoaze, the 26th of January.

Sir,

I HEREWITH transmit, for their Lordships' information, a letter from Lieutenant Burdwood, commanding his Majesty's hired cutter the *Penelope*, acquainting me of his having captured La *Venturer* French cutter privateer, with which he arrived this day.

I am, &c.

R. KING.

Sir,

Penelope Cutter, Jan. 26.

I HAVE the honour to acquaint you, that on Wednesday the 24th instant, the *Start* bearing N. N. W. ten leagues, I captured the French cutter La *Venturer*, mounting two three-pounders, six swivels, and small arms, pierced for eight guns, carrying 33 men; three days from Pleinpoul, not having made any captures.

I have the honour to be, &c.

Admiral Sir Richard King, Bart.

DANIEL BURDWOOD.

Copy of a Letter from Captain Moore, of his Majesty's Ship Melampus, to Evan Nepean, Esq. dated in Cawsand Bay, the 27th of January.

Sir,

YOU will please to inform my Lords Commissioners of the Admiralty, that on the 23d instant, in latitude 50 deg. north, longitude 12 deg. west, after a close but short action, we captured La *Volage*, a French ship corvette, lent to the merchants, mounting 20 nine-pounders and two eighteen-pounders, and 195 men, commanded by Citizen Desfagneaux, Captain of a frigate.

I am sorry to say, that two of the *Melampus*'s seamen were mortally wounded, and are since dead, and three more dangerously wounded. The enemy had four killed and eight wounded.

The

The officers and ship's company of his Majesty's ship under my command behaved perfectly to my satisfaction.

La Volage was three weeks from Nantz, fitted for a three months cruise, but had only taken an American ship, and destroyed an English brig from Belfast bound to Lisbon with coals.

The Captain and all the officers of La Volage are navy officers, with a congé for three months. I am, &c.

GRAHAM MOORE.

Copy of a Letter from Admiral Earl St. Vincent, Commander in Chief of his Majesty's Ships and Vessels at Lisbon, to Evan Nepean, Esq. dated Ville de Paris, in the Tagus, January 10.

I ENCLOSE, for the information of my Lords Commissioners of the Admiralty, letters I have received from the Captains of his Majesty's ships L'Aigle, Blanche, and Mercury, and Speedy sloop, acquainting me with the captures they had lately made: three of those taken by L'Aigle (the fourth being retained as a tender), Le Bayonnois, taken by the Blanche, and Le Benjamin, by the Mercury, are late arrived in this river.

I am, &c.

ST. VINCENT.

Extract of a Letter from Captain Tyler, of his Majesty's Ship L'Aigle, to Admiral Earl St. Vincent, dated off Cape Finisferre, Dec. 28, 1797.

ON the 26th instant I chased into the bay of Corunna three vessels, and captured them, the Aurora in company. I left her in charge of the prizes, while I chased a suspicious sail to the westward. This morning I fell in with two of the prizes; the third, a brig laden with timber, unfortunately overset this morning, while I was in chase of them; however, the men were saved; the other two have hemp, coals, and nails. On the 30th of last month I captured a French privateer of four guns and 52 men; she had taken three English merchant-ships, and sent one into Lach Bay. I sent Mr. Tritton, the master, and 20 men to cut her out. The same evening he captured a Spaniard, laden with sardinas, and sent her for Lisbon.

Copy of a Letter from Captain Hotham, Commander of his Majesty's Ship Blanche, to Admiral Earl St. Vincent, K. B. &c. &c. &c. dated at Sea, December 28, 1797.

IN execution of your Lordship's orders of the 28th of November, yesterday, being in latitude 40 deg. 59 min. N. and longitude 12 deg. 59 min. W. I have the honour to inform your Lordship, I fell in with and captured (after sixteen hours chase) Le Bayonnois French privateer brig of six guns and 40 men, 31 days out from Bayonne, and had taken nothing. Her guns were thrown overboard in the chase.

HENRY HOTHAM.

Copy of a Letter from Captain Rogers, of his Majesty's Ship Mercury, to Admiral Earl St. Vincent, K. B. &c. &c. &c. dated at Sea, Jan. 6.

I BEG to acquaint you, that yesterday proceeding to cruise in obedience to your orders, I fell in with, twenty leagues W. N. W. of the rock of Lisbon, Le Benjamin French ship privateer, belonging to Bourdeaux, pierced

pierced for 20 guns, but mounting 16 four and six pounders (10 of which he threw overboard) and 132 men, which I captured after a chase of 36 hours; the Alcmenie, Lively, and Thalia, under the orders of Captain Hope, joined company during the chase. The privateer sails extremely well, and is a very desirable ship for his Majesty's service; she is copper-bottomed and perfectly new, this being her first cruise, during which she captured the Governor Bruce English brig, from Bristol bound to Faro; a Portuguese schooner; and was beat off by an English letter of marque.

I have, &c.

THOMAS ROGERS.

Copy of a Letter from Captain Downman, Commander of his Majesty's Sloop Speedy, to Admiral Earl St. Vincent, K. B. &c. &c. &c. dated off Oporto, December 26, 1797.

I HAVE the honour to inform you, that on the 21st instant, seven leagues west of the Bayonna islands, his Majesty's sloop Speedy fell in with three Spanish privateers, and after a chase of four hours, captured the Pilgrim, a lugger, mounting three carriage-guns and 22 men. The other two, a lugger mounting six nine-pounders and 50 men, and a schooner mounting four six-pounders and 45 men, made their escape into Vigo.

I have, &c.

HUGH DOWNMAN.

From the LONDON GAZETTE, Feb. 6, 1798.

Admiralty Office, Feb. 6.

Copy of a Letter from Admiral the Earl St. Vincent, Commander in Chief of his Majesty's Ships and Vessels employed on the Coast of Portugal, to Evan Nepean, Esq. dated on board the Ville de Paris, in the Tagus, the 20th of January.

Sir,

I ENCLOSE letters from the Captains of L'Aigle, Alcmenie, and Mercury, Speedy and King's Fisher sloops, reciting the captures of French and Spanish privateers made by the ships and sloops under their commands. The judgment displayed by Captain Pierrepont, joined to his spirited conduct, and that of the officers and crew of his Majesty's sloop King's Fisher, in the action with the Betsey, does credit to them and honour to his Majesty's arms; and the activity of all the cruisers under my command is worthy of commendation.

I am, &c.

ST. VINCENT.

My Lord,

L'Aigle, at Sea, Jan. 5.

I HAVE the honour to inform your Lordship, on the 4th instant, off the coast of Corunna, I chased and captured a French privateer ship of 20 guns and 90 men; been out eight days from L'Orient; she is captured, and a fast sailer, not made any captures.

I have the honour to be, &c.

Earl St. Vincent.

CHA. TYLER.

My Lord,

Alcmenie, at Sea, Jan. 9.

I HAVE the honour of informing your Lordship, that the Buona-partie French privateer, carrying two guns, some swivels, and 40 men,

was

was last evening chased by the squadron under my command, and captured, after a few hours chase, by his Majesty's ship *Lively*; she has been out nine days from Cadiz, without taking any thing.

I have the honour to be, &c.

Earl St. Vincent.

GEO. HOPE.

My Lord,

His Majesty's Ship Mercury, at Sea, Jan. 15.

I HAD the honour to acquaint you, in my letter of the 6th instant, of having captured *Le Benjamin* French ship privateer belonging to Bourdeaux. I have now the satisfaction to inform your Lordship, that this morning, Cape Finisterre bearing east half north 40 leagues, we discovered two sail to leeward, and, upon chasing them, soon found they were armed vessels. They continued together until the *Mercury* came almost within gun-shot of the sternmost, intending, as I supposed, to support each other; but upon being close pressed, they steered different courses, and I was enabled to come up with only one of them, after a chase of eight hours, who fired a few shot, and struck his colours. She proved to be *Les Trois Sœurs*, French brig privateer belonging to Bourdeaux, pierced for 18 guns, but mounting 16 six-pounders, and 118 men, copper-bottomed, sails remarkably well, and only five days out of port, on her first cruise.

I have the honour to be, &c.

Earl St. Vincent.

THO. ROGERS.

My Lord,

King's Fisher, Tagus, Jan. 12.

I HAVE the honour to acquaint your Lordship, that on the morning of the 8th instant, the *Burlings* bearing east, distant about fifty leagues, at daylight we discovered a ship on our weather quarter, and soon after perceived her to bear up and stand towards us; at nine we tacked, and at half past she hoisted French colours, and began firing, which we returned as we passed on different tacks, but at too great a distance to do much execution; she then wore: finding we could not weather her as I wished, we shortened sail for her to get abreast of us, when we began to engage, and continued for an hour and a quarter. Falling little wind, and our jib-boom being carried away, she shot ahead of us, and endeavoured to make off, crowding all sail, and firing her stern-chasers. Having got out another jib-boom, and the wind freshening, at one P. M. we were enabled to renew the action, which was continued for half an hour, when she struck. She is called *La Betsey*, a ship privateer, fitted out at Bourdeaux, copper-bottomed, pierced for 20 guns, but mounting only 16 six-pounders, and had on board 118 men, one of whom was killed; the first and second Captain and six seamen wounded; the second Captain and three seamen since dead of their wounds. She had been out 15 days, but made no captures.

The damages sustained by the *King's Fisher* in hull, sails, and rigging, are trifling, and I am happy to add that one man only is slightly wounded.

I beg to express my entire approbation of the steadiness and good conduct of the officers and ship's company during the action,

And have the honour to be, &c.

Earl St. Vincent.

CH. H. PIERREPONT.

Cop^y of another Letter from Admiral the Earl of St. Vincent to Evan Nepean, Esq. dated on board his Majesty's Ship Ville de Paris, in the River Tagus, the 20th of January.

Sir,

I ENCLOSE a letter I have received from Captain Williams, commander of his Majesty's store-ship the Gorgon, whose judgment, in bearing away for Lisbon upon the intelligence he had obtained, meets my full approbation; and you will acquaint the Lords Commissioners of the Admiralty with his subsequent success.

I am, &c.

ST. VINCENT.

My Lord,

His Majesty's Ship Gorgon, Tagus, Jan. 16.

I HAVE the pleasure of acquainting your Lordship, that at half past noon on Saturday the 13th, in lat. 46 deg. 9 min. long. 7 deg. 33 min. Cape Finisterre bearing S. 20 W. about 70 leagues, I fell in with and retook the Ann brig of Dartmouth, bound from Newfoundland to Lisbon. She had been taken 15 days by a French privateer; and while exchanging people, another brig under national colours bore down upon us, who, after a few shot being fired at her, struck to his Majesty's ship under my command; she proves to be Le Henri, a French privateer from Nantes, carrying 14 guns and 108 men; she had thrown five of her guns overboard, and had been out five days, and taken nothing. I immediately ordered my first Lieutenant, Archbald, with Mr. Tritton, and sixteen other supernumeraries belonging to L'Aigle, to take possession of her, and proceed in company with me to Lisbon, where I have the additional pleasure to inform your Lordship she is safe arrived, and have every reason to believe the brig will shortly join us.

I have the honour to be, &c.

Earl St. Vincent.

RICH. WILLIAMS.

Cop^y of a Letter from Sir Edward Pellew, Captain of his Majesty's Ship Indefatigable, to Evan Nepean, Esq. dated at Sea, the 28th of Jan.

Sir,

I HAVE the pleasure to inform you, that I this day, in company with his Majesty's ship Cambrian, captured the French ship privateer L'Heureuse Nouvelle, of 22 guns and 130 men, from Brest thirty-six days, in which time they had taken nothing but a large ship, an American, called the Providence, loaded with sugar and cotton, which I am in hopes of retaking, having left the Cambrian in chase of her.

I have the honour to be, &c.

EDW. PELLEW.

From the LONDON GAZETTE, Feb. 13, 1798.

Admiralty Office, Feb. 13.

Extract of a Letter from Admiral Earl St. Vincent, Commander in Chief of his Majesty's Ships on the Coast of Portugal, to Evan Nepean, Esq. Secretary of the Admiralty, dated Ville de Paris, in the Tagus, the 26th of January.

I ENCLOSE an extract of a letter from Captain Digby, of his Majesty's ship Aurora, relative to the capture of a Spanish schooner letter of marque from Lagaira.

Extract

Extract of a Letter from Captain Digby, of his Majesty's Ship Aurora, to Admiral Earl St. Vincent, dated the 28th of January.

I HAVE the honour to acquaint you, that I captured on the 17th instant, to the westward of Cape Finisterre, La Casualided Spanish letter of marque (schooner rigged), mounting six guns and 17 men, Don Ysidro Orneze commander ; 47 days from Caraccas, with a cargo of cocoa.

Copy of a Letter from Vice-admiral Kingsmill, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Ireland, to Evan Nepean, Esq. dated at Cork, the 4th instant.

Sir,

PLEASE to lay before my Lords Commissioners of the Admiralty the accompanying letter to me from Captain Fraser, of his Majesty's ship Shannon, giving an account of his having captured, off Cape Clear, on the 2d instant, a large ship privateer, mounting 24 guns and 150 men, with which he arrived here last evening.

I have the honour to be, &c.

R. KINGSMILL.

Sir,

Shannon, Cove of Cork, Feb. 3.

I BEG leave to acquaint you, that yesterday at three P. M. being six or eight leagues to the southward of Cape Clear, with his Majesty's ship under my command, I saw and gave chase to a ship in the N. E. She at first hoisted English colours, but on the Shannon's firing a shot towards her, she hauled them down, hoisted the national flag, and fired her stern-chases ; continuing to do so (without effect) until the Shannon's shot fell far beyond her, when she struck her colours, and brought to at five P. M.

She is called Le Duguay Trouin, a privateer of St. Malo, commanded by Citizen Legue, mounting 24 six-pounders, several of which were thrown overboard during the chase, and armed with 150 men.

She sailed from St. Malo the 3d of November, but having been forced into the river Benois, in Brittany, by bad weather, she had been only eight days from thence ; she had taken nothing until early in the morning of the day I fell in with her, when she captured the Wilding of Liverpool, Henry Ward master, from Jamaica, 23 of whose crew I found on board her. I have to regret the extreme haziness of the weather all day, which prevented any object from being seen at more than four or five miles distance, otherwise I think I must have seen and recaptured that ship ; but it blowing very fresh at west, it was late in the night before the prize could be secured and the prisoners shifted, which having done, I thought it necessary, from the number on board, and the state of the Shannon's rigging, which had suffered much in the late gale, to proceed for this port.

Le Duguay Trouin is 112 feet long on the gun-deck, and 30 feet broad ; she is very well found in every thing as a privateer, and sails fast.

I have the honour to be, &c.

Vice-admiral Kingsmill, Cork.

ALEX. FRASER.

From the LONDON GAZETTE, Feb. 17, 1798.

Admiralty Office, Feb. 17.

Extract of a Letter from Vice-admiral Kingsmill, Commander in Chief of his Majesty's Ships and Vessels on the Coast of Ireland, to Evan Nepean, Esq. dated at Cork, the 9th inst.

I REQUEST you will lay before their Lordships the accompanying letter to me from Lord A. Beauclerk, giving an account of his having captured and brought in here Le Mars of Nantes, a new coppered ship privateer, mounting 16 guns and 220 men.

Sir,

Dryad, Cork Harbour, Feb. 9.

I HAVE the honour to inform you, that on the 4th inst. at five A. M. Cape Clear N. E. twenty leagues, I captured Le Mars, a stout fast-sailing privateer from Nantes, pierced for 20 guns, had mounted 12 twelves, 2 eighteens, and 2 twelve-pound carronades, with 222 men; had been out 49 days, and not captured any thing.

I am, &c.

Vice-admiral Kingsmill, &c.

A. BEAUCLERK.

From the LONDON GAZETTE, Feb. 20, 1798.

Admiralty Office, Feb. 20.

Copy of a Letter from the Right Hon. Lord Bridport, K. B. to Evan Nepean, Esq. dated the 16th inst.

YOU will herewith receive for their Lordships' information, a copy of a letter from Capt. Durham, of his Majesty's ship Anson, stating his having captured Le Jason ship privateer of Nantes, coppered, mounting 12 guns and 108 men.

You will also receive a copy of a letter from Captain Herbert, of his Majesty's ship Amelia, dated the 14th instant, stating his having captured La Branche d'Olive, a French merchant brig, laden with flour, beef, wine, and brandy; and with his having fallen in with a small convoy in the Passage du Raz, and captured Le Cultivateur de Rochelle brig, and an armed chasse marée; but the latter having struck upon a rock, he was obliged to destroy her.

I am, Sir, &c. &c. &c.

BRIDPORT.

My Lord,

Anson, at Sea, Feb. 8.

I BEG leave to acquaint your Lordship, that I have this day captured Le Jason French privateer of 12 guns and 108 men, belonging to Nantes, copper-bottomed, out two days, and made no captures.

I have the honour to be, my Lord, &c. &c. &c.

Right Hon. Lord Bridport, K. B.

P. C. DURHAM.

My Lord,

Amelia, Plymouth Sound, Feb. 14.

I HAVE to inform your Lordship of the arrival of his Majesty's ship Amelia here this morning. Your Lordship will, from Captain Stirling, have heard of my parting from him in a heavy gale of wind on the 31st ult. As soon as the weather made it possible, I returned off Ushan, according to my orders. I made a night attempt to destroy a man of war

war brig, and cutter, just to the northward of Point St. Matthew's, but quitted it almost immediately, finding from their situation it was impossible to effect it. At dark I came to an anchor off the Cap du Cherri, and sent all the boats armed close into Point St. Matthew's, in hopes of taking part of the convoy under the protection of the vessels above-mentioned, if they attempted to go into Brest that night. One boat, however, only fell in with and captured *La Branche d'Olive*, a French merchant brig of about 170 tons, laden with flour, beef, wine, and brandy. The next day having seen her safe to the northward of Ushant, I got in by dark close to Point du Raz, and at daylight saw a convoy of one brig and some *chasse marées*, under protection of a small lugger, coming through the Passage. The lightness of the wind enabled the lugger and most of the *chasse marées* to escape; but the brig *Le Cultivateur de Rochelle*, and an armed *chasse marée*, *Le St. Pierre's*, were captured. The latter having struck on a rock in the Passage, I was obliged to destroy her, having taken out of her part of her cargo, consisting of officers' baggage. The brig is about 130 tons, laden with brandy, wine, and groceries.

I am, my Lord, &c. &c.

CHARLES HERBERT.

Right Hon. Lord Bridport, K. B.

From the LONDON GAZETTE, Feb. 24, 1798.

Admiralty Office, Feb. 24.

Copy of a Letter from the Earl of St. Vincent, K. B. Commander in Chief of his Majesty's Ships and Vessels employed on the Coast of Portugal, to Evan Nepean, Esq. dated on board the Ville de Paris in the Tagus, Jan. 31.

Sir,

I ENCLOSE a letter from Captain Rogers, of his Majesty's ship the *Mercury*, acquainting me with his having captured *La Constance* French privateer of 18 guns, the third taken by that ship since her arrival from Newfoundland.

I am, Sir, &c.

ST. VINCENT.

My Lord,

His Majesty's Ship Mercury, at Sea, Jan. 25.

I HAVE the honour to inform your Lordship, that this day at noon, the *Burlings* bearing S. E. 42 leagues, I fell in with *La Constance* French brig privateer, belonging to Nantz, which I captured after a chase of five hours; she is a remarkably fine vessel, pierced for 18 guns, but has only 12 six and nine pounders on board, and 98 men, copper-bottomed, quite new, sails very fast, and is only ten days from Nantz, on a cruise off the Western Islands.

I have the honour to be, &c.

THO. ROGERS.

From

From the LONDON GAZETTE, Feb. 27, 1798.

Admiralty Office, Feb. 27.

Copy of a Letter from Captain Charles Stirling, Commander of his Majesty's Ship Jason, to Evan Nepean, Esq. dated at Sea, the 23d of February.

Sir,

HIS Majesty's ship under my command this day captured *Le Coureur*, a corvette belonging to the government of France, and commanded by officers of the navy, but lent to the merchants for a privateer. She mounts 24 guns, and has 150 men.

I have the honour to be, &c.

CHA. STIRLING.

From the LONDON GAZETTE, March 3, 1798.

Admiralty Office, March 3.

THE following letters from the Hon. Captain Stopford, transmitted by Lord Bridport; from Lieutenant Webb, through the hands of Capt. M'Douall, commanding at Yarmouth; and from Mr. G. Broad, through those of Admiral Peyton, were received at this office:

My Lord,

Phaeton, at Sea, Feb. 21.

I HAVE the honour to inform your Lordship, that on the 9th instant, in consequence of the vigilance of Captain White, in keeping sight of and making signals for a sail in the S. E. in very thick and equally weather, I was enabled, in his Majesty's ship under my command, to come up with and capture a French ship privateer called *La Legere*, out 24 hours from L'Orient, bound to the West Indies, mounting 14 eight-pounders, and 4 thirty-two pound carronades, and manned with 130 men. *La Legere* was built for a corvette, and has been employed as such until these few months, when she was fitted for a privateer, and sails so well, that her capture would have been considerably delayed, if she had not carried away her fore and main topmasts during the chase.

I have the honour to be, &c.

ROB. STOPFORD.

Right Hon. Lord Bridport, K. B.

My Lord,

Phaeton, at Sea, Feb. 21.

IN addition to my letter to your Lordship of this day's date, I have to inform you, that the *Mermaid* and *Sylph* being in chase in the S. W. have returned with an American ship from Boston to Amsterdam, that had been taken by a French privateer. The American ship (called the *Eliza*) is originally from Batavia, with a valuable cargo, and stopped at Boston for fresh papers, without changing her cargo. I send the *Nymph* into port with the two captured vessels.

I have the honour to be, &c.

ROB. STOPFORD.

Right Hon. Lord Bridport, K. B.

Sir,

His Majesty's armed Cutter Cobourg, Feb. 26.

I HAVE the honour to inform you, that yesterday morning at seven o'clock, having Cromer bearing S. 67 W. distant sixteen leagues, we fell
in

in with, and after nine hours chase (during which we ran one hundred miles, one half the time blowing a hard gale of wind at W. N. W.), we came up alongside and captured *La Revanche*, French lugger privateer of 16 guns and 62 men, after a running fight of two hours, close alongside.

She attempted to board us twice, but being repulsed, and a well-directed broadside having brought her main and mizen masts by the board, and shot her fore-yard away, they called for quarter.

We had no sooner taken possession of her, than, with the utmost difficulty, and all the exertion we possibly could make use of in getting the prisoners shifted, and our own people back, when she sunk, having received above forty shot between wind and water. She had seven men killed and eight wounded. I am happy to add, we had only two men slightly wounded; the damage we sustained is mostly in our masts, spars, sails and rigging. She was a remarkable fine fast-sailing vessel, had only cruised six days, entirely new, fitted out for a month's cruise, and the largest lugger that sailed out of Calais.

I am particularly indebted to Mr. Jeffery, master, and Mr. Rolf, mate, for their attention, assiduity, and prompt execution of my orders, as well as all the officers and crew, who deserve the highest commendation for their alacrity in knotting, splicing, and shifting sail in variable weather, and through a variety of courses, having been exposed to a sharp and well-directed fire from the stern-chases and musketry for near two hours before the action commenced.

I have the honour to be, &c. &c. &c.

Robert M'Douall, Esq.

CHARLES WEBB.

Sir,

Resolution Lugger, at Sea, Feb. 28.

I BEG leave to acquaint you, at six A. M. Boulogne bearing E. S. E. distance about three leagues, the *Dolphin* armed cutter in company, I fell in with and captured, after a chase of four hours, *Le Pou Epie*, French lugger privateer, mounting four swivels, besides small arms, and manned with 17 men, out two days from Dunkirk, but has made no captures. The lugger I sunk, she being so very leaky.

I am, &c.

GEORGE BROAD.

Admiral Peyton, Downs, &c. &c.

From the LONDON GAZETTE, March 6, 1798.

Admiralty Office, March 5.

Copy of a Letter from Admiral Sir Richard King, Commander in Chief of his Majesty's Ships and Vessels at Plymouth, to Evan Nepean, Esq. dated March 3.

Sir,

I HEREWITH transmit, for the information of my Lords Commissioners of the Admiralty, a letter I received this day from Capt. Manby, of his Majesty's ship *Charon*, acquainting me of his having captured a French lugger privateer, named *L'Alexandrine*, carrying four swivels, one carriage gun, and 28 men.

I am, &c.

R. KING.

Sir,

Sir, *His Majesty's Ship Charon, off Torbay, March 2.*

I HAVE the honour to acquaint you, for the information of their Lordships, that this morning, the Bury Head being N. by W. two leagues, I chased for three hours, and captured a fast-sailing lugger privateer called L'Alexandrine, commanded by Anselme Septan, belonging to Brest, but lost from Morlaix, mounting four swivels and one carriage gun, with 28 men: out six days, but had not taken any thing.

I have, &c.

To Admiral Sir Richard King, Bart.

THOMAS MANBY.

&c. &c. &c. at Plymouth.

Admiralty Office, March 6.

Extract of a Letter from Admiral Sir Peter Parker, Bart. Commander in Chief of his Majesty's Ships and Vessels at Portsmouth, to Evan Nepean, Esq. dated the 4th instant.

ENCLOSED is a letter from Captain Bowyer, of the Cameleon sloop, which I received this morning by the officer who brought in La Souffleur French privateer, captured by the said sloop on the 2d instant.

Sir,

Cameleon, March 3.

I BEG leave to inform you, that on Thursday the 1st of March, at ten A. M. Guernsey bearing south eight leagues, I observed a cutter, gave chase, and at half past five P. M. it falling little wind, and by the help of her oars she escaped under the forts on the Isle of Bas. If I had got three leagues more distance to run, I should have captured her. At three A. M. of the 2d, saw a cutter, gave chase, and at four took possession of her. She proves to be the Souffleur, thirteen days from Cherbourg, mounting four carriage-guns, two swivels, and 40 men, and having captured this cruise the vessels as underneath, three of the masters being on board me; and I am in hopes to retake some of those vessels, the wind being south.

I have, &c.

R. R. BOWYER.

P. S. I have sent the privateer into port, and going in chase.

Peggy sloop, of Cardigan, James Prichard master, from Dover to Penzance, with wheat and barley.

Camilla brig, John M'Kenzie master, from Hull to Plymouth, with coals.

Delaval, Charles Mann master, from Sunderland, loaded with coals, bound to Plymouth.

Betsey, of Guernsey, Thomas Townsend master, from Guernsey bound to Plymouth, with wine.

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